

General Housing Policies

on

**Application for Public Housing,
Subsidised Home Ownership Schemes and Estate Management**

Compiled by Estate Management Division

Housing Department

1 April 2011

This Information Booklet on General Housing Policies is for general reference purpose only and will be updated every April. Various policies outlined herein are subject to revision from time to time. If required, please refer to the relevant website of the Housing Authority at <http://www.housingauthority.gov.hk> for updated information; or contact the respective Estate Office / Interim Housing Office / District Tenancy Management Office / Property Services Management Office through the following telephone numbers –

	Estate Office/ Interim Housing Office Telephone No.	District Tenancy Management Office Telephone No.	Property Services Management Office Telephone No.
(in alphabetical order)			
Ap Lei Chau Estate	2554 4941		
Butterfly Estate	2463 6271		
Chai Wan Estate		2897 7479	2234 7931
Chak On Estate	2778 2628		
Cheung Ching Estate		2431 0305	2495 2224
Cheung Fat Estate*		2109 0277	2433 0277
Cheung Hang Estate		2431 0305	2495 5225
Cheung Hong Estate*	2495 1202		
Cheung Kwai Estate		2495 1202	2981 4658 2755 4793
Cheung On Estate*		2109 0277	2433 0277
Cheung Shan Estate		2423 7680	2493 5227
Cheung Wah Estate		3698 0061	2682 1176
Cheung Wang Estate		2416 5341	2497 0277
Ching Ho Estate		2677 2002	2671 7939
Choi Fai Estate		2351 1818	2707 9978
Choi Fook Estate		2323 8121	2750 3811
Choi Ha Estate*		2755 5551	2246 9284
Choi Hung Estate	2320 3066		
Choi Ming Court		2706 8201	3427 3000
Choi Tak Estate		2755 5551	2756 9990
Choi Wan (I) Estate	2750 7211		
Choi Wan (II) Estate		2351 1818	2755 0328
Choi Ying Estate		3499 1194	2331 2845
Choi Yuen Estate		2677 2002	2672 6927
Chuk Yuen (North) Estate*		2351 1818	2726 3111
Chuk Yuen (South) Estate		2351 1818	2327 8818
Chun Shek Estate	2698 1234		
Chung On Estate		2694 4408	2643 5077
Easeful Court*#		2495 1202	2433 9860 2433 1622
Fortune Estate		2361 0070	2204 1027
Fu Cheong Estate	2361 8181		
Fu Heng Estate*		3698 0061	2667 0055
Fu Shan Estate		2351 1818	2351 2115
Fu Shin Estate		2657 2808	2665 8733

	Estate Office/ Interim Housing Office Telephone No.	District Tenancy Management Office Telephone No.	Property Services Management Office Telephone No.
(in alphabetical order)			
Fu Tai Estate		2644 0201	2453 7272
Fu Tung Estate		3140 6400	2109 0280
Fuk Loi Estate*	2490 7834		
Fung Tak Estate*		2324 0096	2321 4622
Fung Wah Estate		2557 0115	2505 7266
Grandeur Terrace#		3152 2672	3401 8268
Hau Tak Estate		2701 3320	2786 3511
Heng On Estate		2694 4408	2706 0188
High Prosperity Terrace#		3617 9201	2640 3113
Hin Keng Estate		2699 3082	2615 0690
Hin Yiu Estate		2699 3082	2409 9083
Hing Man Estate	2558 6311		2278 4000
Hing Tin Estate		2772 6840	2177 6363
Hing Tung Estate		3160 4291	2567 8846
Hing Wah (I) Estate		2897 7479	2505 4228
Hing Wah (II) Estate	2557 0115		
Hoi Fu Court		2625 4370	2625 4370
Hoi Lai Estate	2947 1368		
Homantin Estate		2242 0277	2176 4552
Hong Tung Estate		3160 4291	2513 1778
Hung Hom Estate		2242 0277	2365 2387
Ka Fuk Estate		2677 2002	2677 0383
Kai Tin Estate		2772 6840	2346 1396
Kai Yip Estate	2757 3710		
Kam Peng Estate		3140 6400	2983 1522
Kin Ming Estate		2706 8201	3427 3000
Kin Sang Estate		2463 6271	2465 1239
King Lam Estate*		2701 3320	2704 9356
Ko Cheung Court		2755 6613	2204 5080
Ko Yee Estate	2772 0462		
Kwai Chung (I) Estate	3617 9201		
Kwai Chung (II) Estate	2427 9006		
Kwai Fong Estate		2422 1808	2422 1805
Kwai Hing Estate*		3617 9201	2427 7666
Kwai Shing (East) Estate		2421 2426	2428 3991
Kwai Shing (West) Estate	2426 4121		
Kwong Fuk Estate		2657 2808	2658 4430
Kwong Tin Estate		2772 6840	2349 8000
Kwong Yuen Estate*		2648 1312	2647 3082
Lai King Estate	2743 3814		
Lai Kok Estate	2361 0217		
Lai On Estate	2725 5750		

	Estate Office/ Interim Housing Office Telephone No.	District Tenancy Management Office Telephone No.	Property Services Management Office Telephone No.
(in alphabetical order)			
Lai Yiu Estate		2420 6987	2745 0012
Lam Tin Estate	2769 8187		
Lee On Estate	2643 5038		
Lei Cheng Uk Estate*		2361 0070	2728 2239
Lei Muk Shue Estate (Chui Shue, Hong Shue, Kin Shue, Lok Shue & Wing Shue House)		2423 7680	2418 2831
Lei Muk Shue (I) Estate (Yeung Shue, Tao Shue & Fung Shue House)		2423 7680	2418 2831
Lei Muk Shue (II) Estate (Chung Shue, Shuk Shue & Kwai Shue House)		2423 7680	2418 2831
Lei Muk Shue (II) Estate* (Block 1 – 6, Pak Shue, & Yung Shue House)	2423 7458		
Lei Tung Estate*		2814 8105	2871 2686
Lei Yue Mun Estate	2246 5500		
Lek Yuen Estate	2691 7128		
Leung King Estate		2462 4601	2465 1239
Lok Fu Estate	2336 5144		
Lok Wah (North) Estate	2755 5551		
Lok Wah (South) Estate	2755 6613		
Long Bin Interim Housing	2474 0488		
Long Ping Estate		2442 2461	2470 5600
Lower Wong Tai Sin (1) Estate*		2326 8962	2321 4622
Lower Wong Tai Sin (2) Estate		2326 8962	2726 5675
Lung Hang Estate	2606 1073		
Lung Tin Estate		3140 6400	2985 5807
Ma Hang Estate		2551 0660	2813 7963
Ma Tau Wai Estate		2242 0277	2715 6683
Mei Lam Estate		2699 3082	2604 9229
Mei Tin Estate		2699 3082	2693 6705
Mei Tung Estate*	2338 0521		2336 2871
Ming Tak Estate		2701 3320	2623 6553
Model Housing Estate	2562 4255		
Nam Cheong Estate*		2361 0070	2386 9311
Nam Shan Estate	2777 3357		
Nga Ning Court		2495 1202	2981 4658 2755 4793
Ngan Wan Estate		3140 6400	2984 7000

	Estate Office/ Interim Housing Office Telephone No.	District Tenancy Management Office Telephone No.	Property Services Management Office Telephone No.
(in alphabetical order)			
Oi Man Estate	2713 0121		
Oi Tung Estate	3160 4291		2513 1843
On Tin Estate		2772 6840	2772 3201
On Ting Estate	2451 0321		
On Yam Estate	2481 2998		
Pak Tin Estate	2777 9883		
Pak Tin Estate (Ph.4 & 5)		2777 9883	2779 4153
Ping Shek Estate	2323 8121		
Ping Tin Estate		2772 6840	2348 8681
Po Lam Estate*		2701 3320	2174 9348
Po Tat Estate		2772 6840	2243 7133
Po Tin Estate		2644 0201	2462 2430
Pok Hong Estate		2648 1312	2647 0815
Sai Wan Estate		2551 0660	2817 2054
Sam Shing Estate	2458 6255		
Sau Mau Ping (South) Estate		2349 1361	2350 0228
Sau Mau Ping Estate		2349 1361	2775 0818
Sha Kok Estate	2647 1311		
Shan King Estate		2451 0321	3526 0435
Shek Kip Mei Estate	2779 0231		
Shek Lei (I) Estate		2420 6987	2420 6988
Shek Lei (II) & IH Estate		2420 6987	2489 0020
Shek Mun Estate		2691 7128	2699 0329
Shek Pai Wan Estate	2294 9008		
Shek Wai Kok Estate*	2416 5341		
Shek Yam (East) Estate	2424 2942		
Shek Yam Estate		2421 2426	2276 0971
Sheung Lok Estate		2242 0277	2768 7239
Sheung Tak Estate		2701 3320	2178 1113
Shin Ming Estate		2701 3320	2331 3102
Shui Pin Wai Estate		2442 2461	2479 4237
Shun Lee Estate	2341 8286		
Shun On Estate	2342 8259		
Shun Tin Estate	2797 2010		
Siu Sai Wan Estate		2897 7479	2557 7301
So Uk Estate	2386 6549		
Sun Chui Estate	2698 8988		
Sun Tin Wai Estate	2604 6363		
Tai Hang Tung Estate		2777 3357	2788 0078
Tai Hing Estate	2462 4601		
Tai Ping Estate		2677 2002	2668 0528
Tai Wo Estate		2657 2808	2656 2211

	Estate Office/ Interim Housing Office Telephone No.	District Tenancy Management Office Telephone No.	Property Services Management Office Telephone No.
(in alphabetical order)			
Tai Wo Hau Estate*	2429 9446		
Tai Yuen Estate		2657 2808	2664 5328
Tak Tin Estate*			
(excluding Tak Yan & Tak Hong House)		2772 6840	2177 6363
Tin Chak Estate		3152 2672	2616 0806
Tin Ching Estate		2442 2461	3401 8578
Tin Heng Estate	2486 5000		
Tin King Estate		2458 7710	2465 1239
Tin Ping Estate*		3698 0061	2672 0235
Tin Shui (I) Estate	2445 1645		
Tin Shui (II) Estate	2445 1645		
Tin Tsz Estate		3152 2672	2476 8449
Tin Wah Estate		2448 8863	2448 1723
Tin Wan Estate		2551 0660	2538 5016
Tin Yan Estate	3152 2672		
Tin Yat Estate		3152 2672	2486 3088
TinYiu (I) Estate		2445 0418	2448 1310
Tin Yiu (II) Estate		2445 0418	2448 1810
Tin Yuet Estate	2448 8863		
Tsing Yi Estate		2431 0305	3105 2313
Tsui Lam Estate		2701 3320	2706 7181
Tsui Lok Estate		2558 0180	2505 1454
Tsui Ping (North) Estate		2793 2303	2341 4954
Tsui Ping (South) Estate		2793 2303	2772 5077
Tsui Wan Estate*		2897 7479	2505 0200
Tsz Ching Estate*	2325 0104		
Tsz Hong Estate		2324 0096	2997 5151
Tsz Lok Estate		2324 0096	2323 1787
Tsz Man Estate		2324 0096	2324 4176
Tung Lam Court		3160 4291	2886 1592
Tung Tau (I) Estate	2716 3113		
Tung Tau (II) Estate		2716 7966	2326 8962
Un Chau Ph.1 & 3 Estate		2728 7714	2728 7714
Un Chau Ph.2 & 4 Estate		2387 2277	2387 2277
Upper Ngau Tau Kok Estate		2629 4372	2751 6006
Upper Wong Tai Sin Estate		2321 2004	2321 2004
Wah Fu (I) Estate	2551 2011		
Wah Fu (II) Estate	2551 0660		
Wah Kwai Estate*	2875 8636		
Wah Kwai Estate (excl. Wah Oi House)		2551 0660	2409 7373

	Estate Office/ Interim Housing Office Telephone No.	District Tenancy Management Office Telephone No.	Property Services Management Office Telephone No.
(in alphabetical order)			
Wah Kwai Estate (Wah Oi House)		2551 0660	2875 1097
Wah Lai Estate	2242 6442		
Wah Ming Estate*		2677 2002	2677 6120
Wah Sum Estate		2677 2002	2677 1772
Wan Hon Estate		2755 5551	2172 7363
Wan Tau Tong Estate		2657 2808	2638 2449
Wan Tsui Estate	2558 0180		
Wan Tsui Estate (Yat Tsui House)		2558 0180	2505 3841
Wang Tau Hom Estate*		2336 1053	2336 0258
Wo Che Estate	2697 6183		
Wo Lok Estate	2342 1935		
Wu King Estate	2465 0621		
Yan On Estate		3568 9498	3568 9498
Yat Tung (I) Estate		3140 6400	3140 6316
Yat Tung (II) Estate		3140 6400	3152 3952
Yau Lai Estate		2629 4372	2629 4398
Yau Oi Estate*	2458 7710		
Yau Tong Estate		2349 4189	2349 4189
Yiu On Estate		2694 4408	2630 0897
Yiu Tung Estate	2539 8336		
Yue Wan Estate	2557 3281		
Yung Shing Court		2677 2002	3124 6796

* Tenants Purchase Scheme Estates (Managed by Property Management Agencies appointed by Owners' Committee which do not handle any matters concerning housing policies)

Private Sector Participation Scheme Transferred Block

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Section A

**Application for Public Housing,
Transfer and Subsidised Home Ownership Schemes**

Section A

Chapter 1: Application for Public Rental Housing

Waiting List

The Hong Kong Housing Authority (HA) maintains a Waiting List (WL) to provide public rental housing (PRH) to eligible applicants.

PRH estates in Hong Kong are located in four districts (i.e. Urban, Extended Urban, New Territories and Islands), however, flats in Urban with limited supply are always welcomed by applicants. To balance the supply and demand of PRH in Urban District and to avoid prolonged waiting of applicants so as to speed up flat allocation, applicants holding applications with registration date or equivalent registration date after 30 September 2006 can only opt for public housing in the non-urban districts such as Extended Urban (including Tung Chung, Shatin, Ma On Shan, Tsuen Wan, Kwai Chung, Tsing Yi and Tseung Kwan O), New Territories (including Tin Shui Wai, Tai Po, Fanling, Sheung Shui, Yuen Long and Tuen Mun) and Islands (excluding Tung Chung). Nevertheless, applicants who join the Single Elderly Persons Priority Scheme, Elderly Persons Priority Scheme and Harmonious Families Priority Scheme who opt to live in one flat with elderly member(s) may apply for public rental housing in any district of their choice.

According to prevailing allocation policy of PRH, public housing resources are allocated strictly in accordance with the relative priority of the applications on the WL to uphold the principle of rational allocation. Whereas allocation for non-elderly one-person applicants under the Quota and Points (QPS) System is based on the points they scored and the quota, the higher the points the applicants score, the higher priority for allocation. Therefore, applicants cannot request for early allocation. However, if applicants can produce documents (e.g. Eviction Order issued by the Lands Tribunal and the tenancy agreement was signed before the Landlord and Tenant (Consolidation) Ordinance came into effect on 9 July 2004, except the order issued due to the breach of tenancy condition(s)) to prove that they will shortly be evicted from his/her present abode, and provided that their application satisfies all the eligibility criteria and he/she is due for flat allocation within one year, the Housing Department will accord priority in processing the applications.

For equitable distribution of public housing resources, PRH are allocated to applicants by random computer batching according to family size and allocation standards depending on resources available when they are due for their turn of allocation. Eligible applicants are entitled to three housing offers (one at a time). Refusal of all the housing offers without acceptable reasons will result to cancellation of the application concerned. Applicants with their application cancelled for refusing PRH offers can appeal in writing within 15 days from the date of the notification letter of cancellation. These applicants are only allowed to re-apply one year after the

cancellation date of the application. Applicants who have special request for allocation of PRH (for example, a specific area in their district of choice or specific type of flats) who can provide recommendation on the request from concerned Government Department (e.g. the Social Welfare Department) or organization (e.g. the Hospital Authority). The Housing Department with regard to individual circumstances and available resources, will arrange allocation of PRH as recommended for the applicants as far as possible.

The age limit for allocation of Housing for Senior Citizens units has been lifted, eligible one-person non-elderly applicants and ordinary families with two persons may also be offered one-person or two-person units of Housing for Senior Citizens respectively. To speed up the PRH allocation, flats in estates to be completed or flats under refurbishment will be allocated to eligible applicants in advance.

Ex-tenants and authorized persons aged 18 or above as at the date of PRH tenancy termination, except for interim housing (IH) licencees, whose tenancies are terminated due to the violation of the Marking Scheme for Estate Management Enforcement in Public Housing Estates or the conditions of the tenancy agreement with the Notice-to quit expired on or after 1 January 2006, will be barred from making fresh WL applications for two years. Their applications already registered including those from IH licensees will be frozen for two years from the date of termination of the tenancy concerned which will not be counted as the waiting time (waiting time points will not be earned by QPS applicants during the frozen period). Upon rehousing to PRH, they will not be offered a flat of better quality, in respect of geographical locality, age of building and floor level than their previous abode in PRH. If an applicant has failed to clear the rent arrears on departure from the previous PRH flat upon termination of tenancy, the tenant or authorized persons aged 18 or above are required to settle all the rent arrears and debts incurred to the HA in the past before being offered a new PRH allocation.

Upon the applicants' acceptance of offer of PRH, their application concerned will be automatically cancelled at once. The applicants cannot request for alternative allocation with the same application.

1. Applications for Ordinary Families

a. Eligibility

- i. The applicant must be 18 years of age or over. The applicant and his/her family members must be residing in Hong Kong and have the right to land in Hong Kong without subject to any conditions of stay (except for conditions concerning a limit of stay). Family members who are not living and have not landed in Hong Kong cannot be included in the application.
- ii. A person under 18 years of age must apply together with his/her parents or legal guardian.

- iii. The relationship between the applicant and the other family members must be either husband and wife, parents, children, grandparents, grandchildren, unmarried brothers and sisters or other dependent relatives who are willing to live with the applicant.
- iv. All married family members included in the application must apply together with their spouse (except for divorcee, widow/widower or spouse who is not living and has not landed in Hong Kong).
- v. Only one of the married children and the next generation of that married children of the applicant may be included in the application.
- vi. At the time of allocation, at least half of the family members included in the application must have lived in Hong Kong for seven years and are still living in Hong Kong. Under the following circumstances, all children under the age of 18 are deemed to have fulfilled the seven-year requirement :
 - regardless of their place of birth and one of their parents having lived in Hong Kong for seven years; or
 - with established Hong Kong birth status as permanent resident.
- vii. The applicant or his/her family members must not
 - own or co-own any domestic property;
 - have entered into any agreement to purchase a domestic property;
 - own more than 50% share in any company which directly or via its subsidiary owns domestic properties, at the time of registration up to the time when a tenancy agreement is signed upon allocation of PRH.

Domestic property includes any post-war domestic property, uncompleted private domestic property, uncontrolled or self-occupied pre-war domestic property, roof top structure approved by the Building Authority, domestic building lots and Small House Grants in Hong Kong.

- viii. The total monthly income and current net assets value of the applicant and his/her family members must not exceed the income and total net assets value limits as laid down by the HA. Such limits are subject to annual review. At the time of filing an application attending the interview to determine eligibility for PRH allocation and undergoing investigation conducted by the

HA during the in-between period, the applicant and family members must declare their income (deduction of 5% of income is allowed for employee's statutory contribution to the Mandatory Provident Fund or Provident Fund) and produce employment and salary certificates in the specified format as required by the HA. If they are self-employed, they have to produce documentary proof such as the Business Registration Certificate (photocopy), Trading and Profit and Loss Accounts, Balance Sheets, tax returns, receipts and records of business transactions for vetting.

ix. The applicant and his/her family members must declare and produce documentary proof for inspection the assets they own, including:

- Land (land in and outside Hong Kong);
- Landed properties (e.g. completed and pre-sale domestic, commercial and industrial properties, car parks and landed properties under Agreements for Sale and Purchase in and outside Hong Kong);
- Vehicles (e.g. private and commercial vehicles);
- Transferable vehicle licences (e.g. taxi and public light bus licences);
- Investments (e.g. mutual fund, unit trust fund, shares, deposits with brokers, commodity futures, paper gold, certificates of deposit, insurance plans and bonds, etc);
- Business undertakings (e.g. interest in business of sole proprietorship, partnership or limited companies and the various types of assets owned by the business);
- Bank deposits and cash in hand (e.g. current and fixed bank deposits in Hong Kong and foreign currencies and cash in hand in the amount of HK\$5,000 or above).

x. New application from the whole household of existing PRH tenants will not be accepted.

xi. Ex-owners / ex-joint owners or former recipients of various subsidised home ownership schemes such as Home Ownership Scheme / Private Sector Participation Scheme, Mortgage Subsidy Scheme, Buy or Rent Option Scheme, Tenants Purchase Scheme, Home Purchase Loan Scheme and Home Assistance Loan Scheme are not allowed to apply for PRH. However, the Housing Department (HD) may grant special consideration to their application in the following circumstances subject to their fulfilment of other PRH eligibility criteria:

- bankruptcy;

- financial hardship resulting in need for Comprehensive Social Security Assistance;
- adverse changes to family circumstances such as divorce, death of bread-winner, etc;
- a significant drop in household income resulting in difficulties in financing the home purchase; or
- households beset with medical and social problems but not to the extent to qualify for compassionate rehousing.

Applicants should submit supporting documents for consideration by the HD.

- xii. Family members of various subsidized home ownership schemes are permitted to apply provided that their names have been deleted from the relevant records and subject to the fulfilment of other PRH eligibility criteria.
- xiii. Purchasers of flats under the various subsidised home ownership schemes who, without receiving yet any of the subsidised assistance, have rescinded the Agreement for Sale and Purchase can apply for registration on the WL after execution of the Cancellation Agreement, subject to the fulfilment of other PRH eligibility criteria.
- xiv. A person or his/her spouse who has been granted compensation by the government based on the Home Ownership Scheme rate as a result of the Kowloon Walled City Clearance and has opted to make self-arrangement for accommodation is not allowed to apply for PRH.
- xv. Arrangements for processing divorce cases of WL applicants:
 - Upon divorce, the party with the custody of children has the priority right to retain the original application if consent on the ownership of the application cannot be reached by both parties to the divorce;
 - If the other party, irrespective of whether he/she gets the custody of any child, is still in need of PRH and can fulfil all WL eligibility criteria, a fresh application will be accepted with the registered date equivalent to that of the original application;
 - The same arrangement will also apply before the Decree Absolute is issued on condition that an agreement on the custody of children can be reached by both parties to the divorce and documentary proof showing that the relevant divorce proceedings are in progress can be produced. Offer of PRH flats to such eligible applicants will be made in the form

of conditional tenancies upon confirmation of their eligibility for PRH allocation.

2. Application by Elderly Persons

The Department has introduced a number of housing schemes, under which public housing is provided for the elderly on a priority basis. Under normal circumstances, eligible applicants under the schemes can have their waiting time shortened or enjoy special allocation arrangements.

Single Elderly Persons Priority Scheme

a. Eligibility

- i. The applicant must be 58 years of age or over, and must have attained the age of 60 and have lived in Hong Kong for seven years and is still living in Hong Kong at the time of flat allocation.
- ii. The total monthly income and net assets value of the applicant must not exceed the income and total net assets value limits as laid down by the HA.
- iii. The applicant has to meet all eligibility criteria applicable to ordinary families.

b. Addition of Family Member

A single elderly applicant may apply for addition of family members to become qualified as an ordinary family applicant on the WL. Half of the waiting time accumulated in the one-person line, up to a maximum of three years, will be credited to the family application. After adjusting the waiting time, a registration date equivalent to that of a family application will be computed. This registration date will serve as a reference for the subsequent allocation and application of the relevant public housing application policies.

Elderly Persons Priority Scheme

a. Eligibility

- i. Two or more elderly persons who undertake to live together upon flat allocation are eligible to apply. For unrelated members, they are required to sign the application form together.
- ii. All of them must be 58 years of age or over at the time of filing in their application and must have attained the age of 60 by the time of flat allocation.

- iii. The total monthly household income and current net assets value of the elderly persons must not exceed the income and total net assets value limits as laid down by the HA.
- iv. The applicant and household members have to meet all respective eligibility criteria applicable to ordinary families.

Harmonious Families Priority Scheme

This priority scheme allows younger families applying with at least one elderly parent/dependent relative to opt living in one flat or two separate flats in the same district. The application of the eligible families under this priority scheme will be processed in advance by six months.

A. Opting to live in one flat

a. Eligibility

- i. The applicant's family must consist of at least two members and at least one of them must be an elderly parent/dependent relative. Applicant may choose any one district for allocation of PRH.
- ii. At the time of application, the elderly person(s) must have reached the age of 60 and is willing to live with the other member(s).
- iii. The family has to meet all eligibility criteria applicable to ordinary families.

b. Flat Allocation

Irrespective of whether the elderly or another mature family member is the applicant, both of them have to sign an undertaking at the time of investigation to the effect that the latter would live together with and take care of the elderly. The tenancy so granted may be terminated if the latter member is subsequently found to have failed in complying with this rule.

B. Opting to live in two separate flats in the same district

a. Eligibility

- i. The applicant's family must be a nuclear family plus at least one elderly parent/dependent relative. The applicant may opt for two separate flats under one or two tenancies in the same district except urban.
- ii. At the time of application, the elderly person(s) must have reached the age of 60.

- iii. The family has to meet all eligibility criteria applicable to ordinary families.

b. Flat Allocation

Investigation of the elderly parent(s)/dependent relative(s)'s application will be advanced should the application of the young family mature first. Eligible applicants should abide by the tenancy conditions with regard to their obligation to look after their elderly parent(s)/dependent relative(s). The tenancy so granted may be terminated if the latter member is subsequently found to have failed in complying with this rule.

3. Application by Non-elderly One-Person Applicants

The HA's Subsidized Housing Committee endorsed the establishment of an annual quota for non-elderly one-person applicants and a points system to accord priority to applicants of higher age on 29 September 2005.

a. Eligibility

- i. The total monthly income and current net assets value of the applicant must not exceed the limits laid down by the HA.
- ii. The applicant has to meet all appropriate eligibility criteria applicable to ordinary families.
- iii. The priority of non-elderly one-person applicants on the WL will be determined according to the points received. The more points the applicant gets, the earlier applicant will be offered a flat, upon fulfilling other PRH eligibility criteria.

b. Points System

Points will be allotted basing on an applicant's age when his/her application is registered. Under the Points System, zero point will be given to applicants aged 18 and three points will be added for every year of age. Applicants aged 19 will get three points. Those at 20 will get six points and so forth. Applicants who are 59 of age will be allotted 123 points.

For applicants living in PRH, including rental housing operated by the Hong Kong Housing Society, 30 points will be deducted.

Applicants will be given an additional point for one more month on the WL.

c. Addition of Family Members

Non-elderly one-person WL applicants may apply for addition of family members in order to be qualified as an ordinary family on the WL. Half of the waiting time as a non-elderly one-person applicant will be credited

to the application, up to a maximum of 18 months. After adjusting the waiting time, a registration date equivalent to that of a family application will be computed. This registration date will serve as a reference for the subsequent allocation and application of the relevant public housing application policies.

d. Family Applicant Switching to Non-elderly One-person

Family applicants switching to non-elderly one-person applications will be subject to the Points System immediately. The applicant's age at the time of submitting the original family applications will form the basis for calculating the points. Their accumulated waiting time can be carried in full to the one-person application category.

e. Flat Allocation

Under the prevailing PRH allocation policy, applicant's relative priority for flat allocation is determined in strict accordance with the order of their applications on the WL to uphold the principle of rational allocation. The allocation priority for one-person non-elderly applicants is determined by the points they scored and the quota available under the Quota and Points System whereby applicants with higher points are given higher priorities. Therefore, applicants cannot specify the location or estate or specific type(s) of PRH for allocation. Non-elderly one-person applicants who reach the age of 60 by the time of allocation may be processed under the Single Elderly Persons Priority Scheme. The age limit for allocation of Housing for Senior Citizens units has been lifted. Non-elderly one-person applicants may also be offered a one-person Housing for Senior Citizens unit.

4. Express Flat Allocation Scheme (EFAS)

This Scheme is launched once in a year. HD will issue invitation letters to all target applicants, including those applicants not due for vetting of eligibilities.

a. Aim of the scheme

- i. To speed up the allocation of less popular flats and thus reduce the vacancy rate.
- ii. To provide an avenue for fast-track access to PRH for the waiting list applicants.

b. Eligibility

- i. The applicant must possess valid WL application.
- ii. The applicant and his/her family members have to fulfil the seven-year residence rule.

- iii. The WL application of the applicant must satisfy the stipulated date of registration or equivalent date of registration of the EFAS exercise.
- iv. The WL application still holds a valid chance of offer.

c. Highlights of the EFAS

Home > Residential Properties > Public Rental Housing > Rent a Flat > Express Flat Allocation Scheme

Section A

Chapter 2: Rehousing of Occupants upon Clearance

Responsibility of the Housing Department

Following the transfer of squatter control and clearance duties from the Housing Department (HD) to the Lands Department on 1 April 2006, the role of HD is confined to providing rehousing assistance to eligible clearances affected by government actions on land clearance for development or other purposes, and to victims of natural disasters and other emergency incidents.

In addition, the HD provides assistance in rehousing the occupants of illegal rooftop structures displaced by the Buildings Department (BD)'s enforcement actions in accordance with the prevailing housing policies.

Rehousing Criteria for Squatters Affected by Clearance Exercises

According to the prevailing policy, the general eligibility criteria for rehousing are summarised as follows -

Eligibility for Public Rental Housing (PRH)

1. Affected persons must be genuine residents of a licensed domestic structure/a 1982 surveyed domestic structure and covered by the pre-clearance survey;
- 2
 - a. Affected persons must be covered by the 1984 / 85 Squatter Occupancy Survey; or
 - b. Affected persons with proof of two-year residence in a 1982 surveyed domestic structure prior to the date of announcement of squatter area clearance and having satisfied other eligibility criteria of Waiting List (WL) for PRH will be eligible for PRH under the Anticipatory Housing Scheme.

Affected persons must satisfy the eligibility criteria of WL, please draw particular attention to the following criteria:

3. At least half of the family members must have lived in Hong Kong (HK) without any conditions of stay for seven years and are still living in HK. Children under the age of 18 who are residing in HK with established HK birth status regardless of their length of residence in HK and their parents' residence status, or those under the age of 18 who are residing in HK regardless of their

place of birth if one of their parents has lived in HK without any conditions of stay for seven years, are deemed to have satisfied the seven-year residence rule;

4. During the period from the date of pre-clearance survey up to the date of intake, the applicant or his / her family members must not
 - a. own or co-own with others any domestic property; or
 - b. have entered into an agreement to purchase any domestic property; or
 - c. hold more than 50% of shares in a company which owns (directly or through its subsidiaries) any domestic property in Hong Kong.

(Domestic property includes any domestic property, uncompleted private domestic property, rooftop structure approved by the Buildings Authority, domestic building lots and Small House Grants in the Hong Kong); and

5. Persons affected by clearance operations are subject to a Comprehensive Means Test, and their total family monthly income and net assets value must not exceed the income and net asset limits laid down by the Housing Authority.

**Income and Total Net Asset Limits for Single Persons and Families
(Effective from 1 April 2011)**

Family Size	Maximum Income Limit (per month) ⁽²⁾	Total Net Asset Limit
1 Person	\$8,740 (\$9,200)	\$193,000 ⁽¹⁾
2 Persons	\$13,410 (\$14,116)	\$260,000 ⁽¹⁾
3 Persons	\$15,260 (\$16,063)	\$341,000 ⁽¹⁾
4 Persons	\$18,560 (\$19,537)	\$397,000 ⁽¹⁾
5 Persons	\$21,520 (\$22,653)	\$442,000
6 Persons	\$25,040 (\$26,358)	\$478,000
7 Persons	\$27,340 (\$28,779)	\$510,000
8 Persons	\$28,950 (\$30,474)	\$535,000
9 Persons	\$32,230 (\$33,926)	\$591,000
10 or more Persons	\$33,590 (\$35,358)	\$636,000

**Income and Total Net Asset Limits for Unrelated Elderly Persons
(Effective from 1 April 2011)**

Family Size	Maximum Income Limit (per month) ⁽²⁾	Total Net Asset Limit
2 Persons	\$16,090 (\$16,937)	\$520,000
3 Persons	\$18,310 (\$19,274)	\$682,000
4 Persons	\$22,270 (\$23,442)	\$794,000

Remarks (1) Asset limits for households of 1 to 4 persons whose members are all Elderly Persons (aged 60 or above) are \$386,000, \$520,000, \$682,000 and \$794,000 respectively.

(2) Figures in () denote the effective income limits should an applicant and all family members be contributing 5% of their income under the Mandatory Provident Fund (MPF) or Provident Fund Scheme as required by the law.

Eligibility for Interim Housing (IH)

For those affected persons who fail to meet the criteria (2) and (3) but meet the criteria (1) and other eligibility for PRH {excluding criteria (2) and (3)}, they will be offered IH and will subsequently be housed in PRH through WL.

Families failing the Comprehensive Means Test are ineligible for PRH or IH. Those having a temporary need for housing will be offered IH but their stay there will be restricted to one year, during which they are required to pay licence fee at market level.

Subsidised Home Ownership Schemes

Affected persons having satisfied eligibility for PRH and meeting the prevailing Home Ownership Scheme (HOS) Secondary Market Scheme (SMS) eligibility criteria may choose to apply for purchase of flats in SMS in lieu of rehousing. They may also apply for purchase of the HOS flats in the Sale Programme of Surplus HOS Flats in lieu of rehousing, provided that they meet the HOS eligibility criteria concerned and the sale programme is available for application.

Cash Allowance for Single Persons and Two-person Families

Affected single and two-person families having satisfied eligibility for PRH or IH and passing Comprehensive Means Test may, in lieu of rehousing, opt for cash allowance of which the current rates may be obtained from the Clearance Housing

Unit of the HD on request. Such rates are subject to adjustment without prior notice. Recipients of this allowance are ineligible for further payments of the allowance or for any form of public housing in the subsequent two years.

Affected Persons Already Registered in the General Waiting List

Affected persons who are eligible for rehousing and satisfy the WL eligibility criteria and whose WL applications are due for flat allocation within twelve months may be offered advanced rehousing under the Anticipatory Housing Scheme.

Owners or ex-owners of various Subsidized Home Ownership Schemes, Ex-Loan / Subsidy Recipients under the Home Assistance Loan Scheme or the Home Purchase Loan Scheme, and Recipients of Home Ownership Scheme-based Compensation in Kowloon Walled City Clearance

Owners or ex-owners of various Subsidized Home Ownership Schemes, Ex-Loan / Subsidy Recipients under the Home Assistance Loan Scheme or the Home Purchase Loan Scheme, and Recipients of Home Ownership Scheme-based Compensation in Kowloon Walled City Clearance and their spouses are debarred from rehousing to PRH. However, their other family members approved to be deleted from the relevant records are not bound by this restriction.

Rehousing for Families Living in Private Tenement Affected by Clearance Exercise

Where negotiation is taking place between the government and a landlord on the surrender of any private land within a clearance area, the clearerees affected, apart from satisfying the eligibility criteria for PRH and IH as stated above, must produce evidence that they have been living in the area since and before the date of the pre-clearance survey or the date of negotiation, whichever is the earlier.

Rehousing for Victims of Fires and Natural Disasters

In the event of fire and natural disaster in squatter areas, transit centres will be arranged for those registered victims in need, pending eventual rehousing in accordance with the prevailing rehousing policy.

Squatter fire victims who are eligible for PRH will be rehoused to public rental flats in the New Territories. For those who do not fall within this category, allocation of IH in the New Territories will be considered.

Permitted occupiers of surveyed domestic squatters affected by landslips or natural disasters will normally be accorded local rehousing, with the proviso that these victims may be allocated housing units in the extended urban area (which includes Tsuen Wan, Shatin and Tseung Kwan O) if no urban units are available.

Rehousing for Occupants of Illegal Rooftop Structures Displaced by the BD's Enforcement Actions

To tie in with the BD's enforcement action against illegal rooftop structures on domestic single-staircase buildings, HD provides assistance in rehousing the displaced occupants of illegal rooftop structures in accordance with the prevailing housing policies. In rehousing such affected occupants, the same principles and similar eligibility criteria as aforesaid are adopted subject to availability of housing resources.

Attention

Under the Anticipatory Housing Scheme, a one-grade-up allocation in the choice of district from the New Territories to Extended Urban Area or from Extended Urban Area to Urban Area can be offered to those eligible applicants. Upon upgrading, only refurbished flats will be offered.

Those who are not genuine residents of a clearance area at the time of a pre-clearance survey or fail to fulfill the "no domestic property" criterion are ineligible for rehousing.

Section A

Chapter 3: Rent Allowance for Elderly Scheme

The Rent Allowance for Elderly Scheme (RAES) was launched as a pilot scheme in August 2001 to give elderly applicants an arrangement to draw cash rent allowances to lease private accommodation in lieu of PRH allocation.

However, the Housing Authority's Subsidized Housing Committee agreed on 25 September 2003 to phase out the pilot RAES.

To phase out the scheme, the Department ceases to accept new application. Existing beneficiaries, upon expiry of the current private leases, can opt for public rental housing (PRH) units or cash rent allowances provided that they still meet the prevailing eligibility criteria.

Section A

Chapter 4: Compassionate Rehousing

Compassionate rehousing (CR) is recommended by the Director of Social Welfare (DSW). Such cases in general involve hardships of various nature on the part of the applicants like serious illness, disability, social problem or living problems faced by elderly owner-occupiers of dilapidated properties.

Under CR Scheme, Conditional Tenancy (CT) is recommended to help those who are assuming custody of child(ren) and on divorce proceedings to meet their genuine and imminent housing needs while awaiting the court decision on their divorce applications. With effect from November 2001, Housing Department (HD) has extended CT to cover victims of domestic violence having petitioned for divorce but who have no offspring or have not brought along any dependent children when leaving their matrimonial home. SWD recommends eligible applicants to HD for temporary residence in the form of CT in public rental housing (PRH) unit.

To address the living problem encountered by elderly property owner-occupiers (EPOs) living in private dilapidated buildings, HD and SWD have agreed, with effect from June 2004, to an ex-gratia scheme to assist those eligible EPOs to move into Housing for Senior Citizens (HSC) on a licence basis, as a transitional arrangement, under the CR consideration. With effect from July 2005, the Housing Authority modified the Scheme to allow allocation of self-contained PRH units on licence to EPOs upon their refusal of offers of HSC units.

The public may apply directly to Family Services Centres or Social Security Field Units of the Social Welfare Department (SWD), or through the Medical Social Unit under the subvented hospitals, voluntary agencies as approved by the SWD or Probation Offices for compassionate rehousing. After confirmation of the eligibility of an applicant through investigation, the DSW will recommend the case to the Housing Department for allocation of a suitable flat.

Section A

Chapter 5: Allocation Standards for Public Rental Housing

To better utilize our valuable public rental housing units, allocation standards for flats of different designs and sizes are fixed in terms of allocation ranges. For example, 2 to 3 persons flats of New Harmony blocks (internal floor area about 22 m²) can be allocated to families with 2 or 3 members, one bedroom New Harmony flats (internal floor area about 30 m²) can be allocated to families with 3 or 4 members etc. HD will flexibly allocate their PRH flats according to their supply and demand at the time of allocation.

Section A

Chapter 6: Transfer

Flat Transfers

Public rental housing (PRH) tenants may apply for flat transfer after a considerable period of time under various situations: tenants may want to move to a bigger or another flat due to increase in family size or improved household income; tenants may need to live in a different district due to special reasons; and sometimes the need to move is due to the Housing Department's major improvement or redevelopment plans. Subject to the availability of flat resources, we have the following transfer schemes to cater for tenants' different needs for flat transfer:

A. Public Rental Housing Transfers

1. Internal Transfer

Tenants who have genuine difficulties in continuing living in their existing flats due to special circumstances or on medical/social grounds may apply for transfer to a flat in the same estate. Those tenants who are seriously handicapped or in poor health conditions and in need of a private toilet or washing and cooking facilities may also apply for transfer to a suitable flat in the same estate.

2. Special Transfer

If tenants are in genuine need of housing transfer due to special circumstances or on medical/social grounds but internal transfer cannot solve their problem, they may apply for special transfer to another estate. Should tenants in financial difficulties find it hard to afford the existing rent, they may request transfer to flats of a cheaper rent in another estate through special transfer.

3. Extremely Urgent Transfer

Tenants applying for internal transfer and special transfer will normally be given the first offer within two months, subject to the availability of suitable flats in the approved district. However, high priority will be accorded to those extremely urgent cases which require prompt relocation due to tragic accidents, acts of violence, families with members having acute health condition or accommodations with structural defects endangering the family home safety. Subject to the case submission being in order including application form properly completed, necessary supporting documents attached and availability of housing resources, the Housing Department will arrange to make the first

offer within 10 working days.

4. Transfer for Major Repairs/Improvement Programmes

Tenants who have to move out due to structural problems or comprehensive repair and improvement works of their block will be allocated another suitable flat by the Housing Department. These tenants are also entitled to a removal allowance upon surrender of their existing public housing unit.

5. Estate Clearance Transfer

To fully utilize the limited resources, tenants in estates affected by estate clearance may apply for thinning-out exercise. When suitable flats in new estates are available for such use, these tenants will be invited by notices to apply. Upon relocation to new flats and surrender of their existing public housing units, tenants will be granted a removal allowance.

6. Transfer of OR Families Living in Blocks Under Estate Clearance

Vacated flats in blocks under estate clearance may be used for OR within the same block. When such vacancies arise, details of the application arrangement and particulars of the flats available will be advertised on block basis to invite applications from eligible overcrowded families.

7. Transfer of Tenants Occupying Converted One-person (C1P) Flats/Housing for Senior Citizens (HSC) under the Conversion Programme

To phase out all C1P flats and those HSC units under the conversion programme, households involved can apply for self-contained flats through internal or external transfer. Upon surrender of their existing public housing units, they are entitled to a Domestic Removal Allowance (DRA). For those last-remaining tenants in C1P flats, they can also apply to take up the entire flat through Automatic Offer (AO) but DRA will not be offered to concerned tenants. Temporary accommodation may be provided and rent waiver may be granted for justified AO cases should the premises render unfit for occupation due to renovation work.

The Households joining the above transfer schemes should not carry any valid points under the "Marking Scheme for Estate Management Enforcement in Public Housing Estates". All members of the household should not be in breach of any clause of the tenancy agreement and the occupancy position of the PRH unit should be in order.

8. Transfer for Under-occupied Households

Owing to subsequent moving-out, decease, marriage or emigration of some family members, the remaining members may enjoy far more living space than is allowed under the established standards, rendering the family an under-occupied household. Under the existing tenancy agreement, an under-occupied household has to move to a PRH flat of a size which HA considers appropriate. A total of four housing offers either in the residing estate or other estates in the same District Council district will be given to these households. If the household refuses all the four offers unreasonably, Notice-to-Quit will be issued to terminate the tenancy of the household. The most serious cases of under-occupation will be firstly dealt. Elderly tenants and households with disabled members should be the last ones on the list of under-occupied household to be transferred.

Households with accumulated valid points less than 16 under the Marking Scheme can also apply for transfer to suitable-sized flats. As incentives, Domestic Removal Allowances (DRA) and transfer opportunities to new estates will be offered to the households that have accepted offers to smaller units, but under-occupied households applying for voluntary transfer exercises will not be offered DRA.

B. Transfer Exercises for Sitting Tenants

1. Overcrowding Relief (OR)

Territory-wide Overcrowding Relief (TWOR) transfer exercises will be conducted centrally by the Applications Sub-section of the Housing Department twice or thrice a year subject to availability of housing resources. Eligible applicants will be invited for flat selection. However, households living in the New Territories (NT) may only select flats in the NT and Tung Chung while households in extended urban and Islands are not eligible to select flats in urban estates. The locality restriction for TWOR is relaxed in 2005 to allow eligible applicants with over 10 years of PRH residence to choose to move to any geographical districts.

Under the TWOR, all PRH households living below 5.5 m² internal floor area (IFA) per person may apply for transfer to a larger flat. Applicants are subject to passing the Domestic Property Test (DPT), i.e. during the period from the date of applying for the OR transfer exercise up to the date of signing up new tenancy, all household members must not own any domestic property in Hong Kong. Applicants are also required to pass the Comprehensive Means Test (CMT) with income and asset limits being the same as those used in the Housing Subsidy Policy and the Policy on Safeguarding Rational

Allocation of Public Housing Resources. The priority of flat selection is based on the living density, family size and length of residence of households in application.

The living density of applicants will determine the order of priority for flat selection - household with the highest density will come first. Density being the same, the household of a larger size will have priority. Both conditions being the same, the length of residence in the existing tenancy will determine. All things being equal, priority on flat selection will be determined by ballot. On the production of medical certificate, an unborn child of at least 16 weeks gestation as at the date of application will be counted as one family member in the calculation of living density. The concerned household should raise its request for inclusion of any unborn child to the estate office when applying for OR.

After successful transfer to a larger flat, the household has to pay normal, 1.5 times or double net rent plus rates according to the level of their household income. They will be required to declare their household income/assets once every two years irrespective of the length of their residence in public housing. Households paying normal or 1.5 times net rent plus rates shall declare their household income biennially. Those paying double net rent plus rates shall declare their household assets biennially. For households which tenancies before transfer are granted under the Policy on Grant of New Tenancy, they shall continue to declare their household income and assets every two years as required under the policy.

Unsuccessful applicants may apply again in the next TWOR exercise. However, eligible applicants who fail to secure a flat after being invited to flat selection exercises for three times (including failing to turn up for flat selection or refusing to select any flat) will have their eligibility for TWOR frozen for one year.

Details on TWOR arrangements, eligibility criteria and list of estates available in the exercise, etc. will be put up on notice boards, newspapers, posters and website of Hong Kong Housing Authority/Housing Department, etc. for tenants' information.

2. Living Space Improvement Transfer Scheme (LSITS)

The Housing Authority's Subsidized Housing Committee endorsed in 2005 to introduce a new Living Space Improvement Transfer Scheme (LSITS) to provide more transfer opportunities for public rental housing tenants. This scheme runs parallel to TWOR for overcrowded families although priority is given to TWOR. Under the LSITS, all PRH households living below 7 m² IFA per person may apply for transfer to a larger flat. Consistent with TWOR, applicants for

LSITS are subject to the same set of eligibility criteria and flat selection priority in the order of living density, family size and length of residence.

The Committee also endorsed to relax the locality restriction for LSITS to allow eligible applicants with over 10 years of residence to choose to move to any geographical districts.

3. Regional Transfer (RT)

Subject to availability of housing resources, the Housing Department will launch RT exercise in local region/district (according to geographical district of District Tenancy Management Office) to assist those needy households to improve their living environment and to trawl suitable flats to meet operational demands. Consistent with TWOR and LSITS, applicants for RT are subject to a set of eligibility criteria. Eligible applicants will be invited for flat selection. The priority of flat selection is based on the family size, living density and length of residence of households in application but the Housing Department may revise the priority sequence to address local situation.

Details of RT arrangements, eligibility criteria and list of estates available in the exercise, etc., will be put up on notice board for tenants' information.

4. Harmonious Families Transfer (HFT) Exercise

The Housing Department launches the Harmonious Families Transfer (HFT) Exercise to boost a family-based support network. It provides opportunities for PRH tenants to apply for transfer to the same estate in which their elderly parents/offspring is currently living in for mutual care (in the absence of suitable resources, a flat of suitable size in the nearest available estate will be allocated). Elderly parents living in PRH can nominate one of their offsprings/spouse of their offspring to apply for this transfer scheme. Young generations can also nominate their parent(s)/parent(s)-in-law to apply for HFT.

The applicant and nominator should both be public housing households living in PRH flats located in different District Council (DC) districts. The applying family must obtain the nomination from their correlative elderly parent(s)/parent(s)-in-law or younger generation (child/child-in-law) and submit documentary proof on their relationship before qualifying for this transfer exercise. The elderly parent(s)/parent(s)-in-law must be an all elderly PRH household (i.e. all household members aged 60 or above, single person elderly family is also eligible for nomination or application). If there are joint tenants in an all elderly households, both of them can nominate their own offspring for transfer or apply for transfer nearer to their own offspring separately

(in the absence of suitable resources, a flat of suitable size in the nearest available estate will be allocated).

If the applying family has accepted a housing transfer under the HFT exercise, the respective elderly household (irrespective of the role as nominating or applying family) will be debarred from application in future HFT exercises. The debarment will be maintained, notwithstanding there is a circumstantial change in the elderly household or the elderly is subsequently rehoused to another flat through internal/special transfer on special grounds.

For applicant who would like to apply for cross-district transfer to a more popular Waiting List (WL) District, they should have a residence in PRH for at least seven years. If either nominating or applying family have a child below six or an expected child with 16 weeks gestation or more, applicant with a residence in PRH for at least five years can also apply.

An annual quota of 1,000 units is set aside for the HFT. Flat allocation will be based on the order of priority in terms of the age of the eldest member in the elderly household and the length of residence of the applicant households. The HFT application period will last for two months. This would allow sufficient time for sitting tenants to consider and submit applications.

In the launch of the exercise, details of application will be posted on notice boards in the estates and HA/HD website for tenants' information. Besides, application notice will also be delivered to households with all elderly members.

5. Transfer of Tenants Occupying Converted One-person (C1P) Flats/Housing for Senior Citizens (HSC) Type 1 flats under the Conversion Programme

To phase out all C1P flats and HSC Type 1 units under the conversion programme, households involved can apply for self-contained flats while HSC Type 1 tenants can also opt for HSC Type 2 or Type 3 flats through internal or external transfer. Upon surrender of their existing public housing units, they are entitled to a Domestic Removal Allowance (DRA). For those last-remaining tenants in C1P flats, they can also apply to take up the entire flat through Automatic Offer (AO) but DRA will not be offered to concerned tenants. Temporary accommodation may be provided and rent waiver may be granted for justified AO cases should the premises render unfit for occupation due to renovation work.

The Households joining the above transfer schemes should not carry any valid points under the 'Marking Scheme for Estate Management Enforcement in Public Housing Estates'. All members of the household should not be in breach of any clause of the tenancy agreement and the occupancy position of the PRH unit should be in order.

6. Transfer for Under-occupied Households

Owing to subsequent moving-out, decease, marriage or emigration of some family members, the remaining members may enjoy far more living space than is allowed under the established standards, rendering the family an under-occupied household. Under the existing tenancy agreement, an under-occupied household has to move to a PRH flat of a size which HA considers appropriate. A total of four housing offers either in the residing estate or other estates in the same District Council district will be given to these households. If the household refuses all the four offers unreasonably, Notice-to-Quit will be issued to terminate the tenancy of the household. The most serious cases of under-occupation will be dealt with firstly. Elderly tenants and households with disabled members should be the last ones on the list of under-occupied household to be transferred.

Households with accumulated valid points less than 16 under the Marking Scheme can also apply for transfer to suitable-sized flats. As incentives, Domestic Removal Allowances (DRA) and transfer opportunities to new estates will be offered to the households that have accepted offers to smaller units, but under-occupied households applying for voluntary transfer exercises will not be offered DRA.

7. Estate Clearance Transfer

To fully utilize the limited resources, tenants in estates affected by estate clearance may apply for thinning-out exercise. When suitable flats in new estates are available for such use, these tenants will be invited by notices to apply. Upon relocation to new flats and surrender of their existing public housing units, tenants will be granted a removal allowance.

8. Transfer of OR Families Living in Blocks Under Estate Clearance

Vacated flats in blocks under estate clearance may be used for OR within the same block. When such vacancies arise, details of the application arrangement and particulars of the flats available will be advertised on block basis to invite applications from eligible overcrowded families.

Section A

Chapter 7: Home Ownership Scheme (HOS) and Private Sector Participation Scheme (PSPS)

The HA had accepted the Government's recommendation on cessation of the production and sale of HOS flats indefinitely from 2003 onwards and termination of PSPS. The small number of unsold and returned flats would not be put up for sale in the form of subsidized housing units before the end of 2006. The HA decided in January 2006 to offer for sale in phases the unsold and returned HOS flats (collectively known as surplus HOS flats) from 2007 onwards to Green Form (GF) and White Form (WF) applicants and endorsed the proposed sales arrangements for the surplus HOS flats. The sales arrangements are applicable to the surplus HOS flats only.

Eligibility to Purchase a Surplus HOS Flat

The HA decided that the surplus HOS flats will be offered for sale to both GF and WF applicants with a quota allocation ratio of 80:20; and a more flexible GF / WF split be allowed during the sale exercise, having regard to the take-up situation. (The HA has approved that the quota allocation ratio for GF and WF applicants in the sale of surplus HOS flats Phase 6 launched in June 2010 be revised to 60:40.)

Definition of Green Form Applicants

Subject to detailed eligibility criteria on age, family composition and residence rule, etc., the following groups should be eligible for applying on GF status:

1. public rental housing (PRH) tenants ^(Note 1), ;
2. specific groups with established eligibility for allocation of PRH flats ^(Note 2), including-
 - a. successful Waiting List applicants whose eligibility for PRH has been established and who are due for allocation of PRH within 1 year;
 - b. carees and disaster victims with PRH eligibility;
 - c. successful applicants of the Civil Service Public Housing Quota (CSPHQ) who opt for GF eligibility to buy subsidized home ownership flats in lieu of PRH;
 - d. PRH tenants' splitting / divorce cases with PRH eligibility;
 - e. Urban Renewal Authority carees (displaced tenants with PRH eligibility);
 - f. recipients of the Rent Allowance for the Elderly Scheme; and

- g. staff of the Estate Assistant grade of the Housing Department holding a valid Letter of Assurance issued by the department.

(Note 1: For GF Applicants who obtain a PRH unit through the Express Flat Allocation Scheme (EFAS) launched from 2007/08 onwards, if they apply for the purchase of surplus HOS flats within 3 years from intake of their PRH unit, they will be treated as if they were WF applicants in the flat selection order and any surplus HOS flats taken up by this category of GF applicants will be counted against the WF quota. Upon purchase of an HOS flat, this category of GF applicants, similar to PRH tenants, will have to surrender their PRH units to HA.)

(Note 2: The groups from (a) to (e) who opt for buying the Housing Authority's subsidized home ownership scheme flats under GF category in lieu of allocation of PRH will be issued with Green Form Certificates on application.)

Definition of White Form Applicants

Subject to detailed eligibility criteria on age, family composition, residence rule etc., income and asset limits and property ownership restriction, the following groups should be eligible for applying on WF status:

- (1) households living in private housing;
- (2) family members living in PRH or any subsidized housing scheme units; and
- (3) owners of Tenants Purchase Scheme (TPS) flats within 10 years from date of assignment, who can apply by using WF but will be exempted from income and asset limits and domestic property ownership restriction, on the condition that they will sell the TPS flats within three months from signing of the agreement for sale and purchase of the surplus HOS flats, or such extended period as may be granted.

Sales Arrangements of Surplus HOS Flats

In January 2006, the HA decided that the surplus HOS flats will be put up for sale in two phases per year and around 2 000 to 3 000 flats per phase to GF and WF applicants. Each phase will consist of one or more major HOS courts and flexibly include scattered unsold and returned flats. The sales programme may need to be adjusted should there be drastic changes in circumstances.

The sales arrangements are applicable to the surplus HOS flats only and in certain aspects different from the arrangements in previous HOS sales. The main points on the sales arrangements for the surplus HOS flats include the following:

- The surplus HOS flats will be offered for sale to both GF and WF applicants with a quota allocation ratio of 80:20; and a more flexible GF / WF split will be allowed during the sales exercise, having regard to the take-up situation. (The HA has approved that the quota allocation ratio for GF and WF applicants in the sale of surplus HOS flats Phase 6 launched in June 2010 be revised to 60:40.)
- On flat selection arrangements, family households are allowed to select flats before one-person households, and families or one-person households affected by HA-initiated clearance programme are allowed to select flats before other families or one-person households respectively. To strengthen the support for families with elderly persons as advocated in the 2006 Policy Address, GF families with elderly persons and WF nuclear families with elderly persons will be accorded priority in the ordinary GF and WF queues respectively.
- If GF applicants who obtained a PRH unit through the EFAS launched from 2007/08 onwards apply for the purchase of surplus HOS flats within 3 years from intake of their PRH unit, they will be treated as if they were WF applicants in the flat selection order, and any surplus HOS flats taken up by this category of GF applicants will be counted against the WF quota.
- The income and asset limits for WF applicants will be set according to the established methodology and reviewed annually. ^{(Note 3).}
- Owners of TPS flats within 10 years from the date of assignment could apply for purchase of surplus HOS flats on condition that they will sell their TPS flats within three months from the signing of the agreement for sale and purchase of the surplus HOS flats, or such extended period (a one-off extension of three months) as may be granted by Assistant Director of Housing (Housing Subsidies) should a TPS owner have genuine difficulty in disposing of his TPS flat.
- The previous guiding principle (i.e. a mortgage-to-income ratio of not more than 40%, and 50% of the flats being affordable to the target group) and general guideline of offering a discount of 30% of market value will be followed in setting the price.
- HA will decline all buyback offers for the surplus HOS flats sold from 2007 onwards.
- The provision of mortgage guarantee in respect of loans granted by banks and other authorised financial institutions for the purchase of HOS

flats will be continued.

- Mortgage subsidy will not be offered to purchasers of the surplus HOS flats.
- A defect rectification and maintenance programme will be carried out at the surplus HOS flats to bring them to a reasonable standard before sale.
- A defects liability period (DLP) of one year from the date of assignment of individual flats will be offered for unsold flats, while no DLP should be offered for returned flats.
- The structural safety guarantee (SSG) of 10 years (or 20 years for projects in Tin Shui Wai) from the date of building completion will be maintained for the surplus HOS/PSPS developments, except that for the 28 unsold blocks, SSG of 10 years (or 20 years for projects in Tin Shui Wai) counting from the commencement date of the flat selection period of the first sale phase for each unsold block will be provided.

(Note 3) The HOS Income and Asset Limits applicable to the Phase 6 sale of surplus HOS flats are as follows:-

Household Size	Monthly Income Limit (\$ / month)	Asset Limit (\$)
1 person	13,500	265,000
2-8 persons	27,000	530,000
9 persons	27,900*	572,000
10 persons or above	29,080*	616,000

* Equivalent to the corresponding 2010/11 Waiting List (WL) income limits.

Details of the sales arrangements and application will be announced prior to the launch of each sales phase by the HA.

Section A

Chapter 8: Extension of Green Form Status to General Waiting List Applicants

1. Home Ownership Scheme / Home Assistance Loan Scheme

The Subsidized Housing Committee of the Hong Kong Housing Authority approved on 24 January 2006 the sale of surplus HOS flats from 2007 in two phases per year. In such circumstances, Green Form Status Certificate will be issued to the eligible Waiting List Applicants for HOS. The decision of the Housing Authority (HA) on 14 July 2004 to cancel the Home Assistance Loan Scheme (HALS) is upheld.

2. HOS Secondary Market Scheme / Flat-for-sale Secondary Market

Under the current policy, General Waiting List applicants with verified eligibility for public housing allocation ("eligible applicants") may apply for joining the following subsidized home ownership schemes with Green Form Status :

- a. HOS Secondary Market Scheme;
- b. Flat-for-sale Scheme (FFSS) Secondary Market. (implemented by Housing Society)

Applicants can only opt for one of the above-mentioned subsidized home ownership schemes of the Housing Authority / Housing Society but they may apply for more than one of the schemes at the same time provided that they meet the eligibility criteria of the respective schemes. Successful applicants are required to forfeit the other applications, and their Waiting List applications will be cancelled.

Section A

Chapter 9: Sale of Flats in the Secondary Market

To increase the turnover of public rental housing (PRH) flats and efficiency in the utilization of limited public housing resources, the Housing Authority (HA) established the Secondary Market Scheme (SMS) for Home Ownership Scheme (HOS)/ Private Sector Participation Scheme (PSPS) flats in June 1997. Starting from the third year [counting from the date of the first assignment signed with the HA (for HOS flats) or the developer (for PSPS flats)] HOS/PSPS flat owners may sell their flats in the Secondary Market by negotiating prices freely to sitting PRH tenants [including tenants of the HA and the Housing Society (HS) as well as authorized occupants of the HA's Interim Housing]*, beneficiaries under the Rent Allowance for Elderly Scheme (RAES), Green Form Certificate holders and Estate Assistants holding a Letter of Assurance issued by the HA. The price is to be negotiated between the selling and buying parties. The original owner will not be required to pay the premium to the HA before selling his/her flat, but the purchaser will inherit the liability to pay the premium should he/she seek to sell the flat in the open market later on. With effect from 15 April 2000, rental flats sold under the Tenants Purchase Scheme (TPS) and reaching the third year (counting from the date of the first assignment) can also be sold under the SMS.

Eligibility to Purchase an HOS/PSPS/TPS Flat in the SMS

1. Domestic tenants of HA and HS estates, authorized occupants of the HA's Interim Housing (IH) may, upon the endorsement of their eligibility by their estate/IH offices, apply to purchase HOS/PSPS/TPS flats in the SMS. Upon execution of the deed of assignment, they are required to serve a Notice to Quit to the HA to terminate the Tenancy Agreement or Occupation license in respect of the public housing unit/Interim Housing that they are residing in and deliver vacant possession of the said unit to the HA within 60 days or on/before the day on which the Tenancy Agreement/Occupation license is terminated. If they are unable to return the unit within the specified period, they have to submit an application in advance to the HA for an extension of stay up to 30 days. If accepted, they will have to pay an occupation fee equal to three times the prevailing net rent of the unit plus rates. If they have been paying market rent before the deadline for vacating the unit, the occupation fee for extended stay will be charged at either the rate of market rent or three times the prevailing net rent of the unit plus rates, whichever is the higher.
2. Beneficiaries under HA's RAES are eligible. Their RAES allowance will be automatically ceased upon purchase of an HOS/PSPS/TPS flat.

3. All Green Form Certificate holders and Estate Assistants holding a Letter of Assurance issued by the HA may also apply. They are required to give up their eligibility for allocation of PRH flats after execution of the assignment in a successful purchase deal.

The above applicants must satisfy the following requirements:

1. The applicant must be 18 years of age or above;
2. The applicant and all family members, if married, must apply together with their spouse (with the exception of those divorcee(s) have legal proof of divorce);
3. The applicant or one of his/her family members must have lived in Hong Kong for at least seven years with unconditional stay (except for conditions on the limit of stay). However, domestic tenants of HA/HS estates, authorized occupants of the HA's IH, beneficiaries of the RAES, "Green Form Certificate" holders with rental eligibility and Estate Assistants in possession of a "Letter of Assurance" issued by the HA are not subject to the restriction on length of residence in Hong Kong;
4. The applicant and his/her family members must not breach any terms and conditions of the existing tenancy agreement/license (applicable only to tenants of HA/HS and licensees of IH).

* Ex-owners of HOS/PSPS flat, ex-Home Purchase Loan/Home Assistance Loan recipients and their spouse are not eligible to purchase an HOS/PSPS/TPS flat in the SMS. Other family members whose deletion from the relevant records has been approved would not be bound by this restriction.

Section A

Chapter 10: Home Assistance Loan Scheme

The Home Assistance Loan Scheme (HALS) was introduced in January 2003. It aimed to offer financial assistance to help eligible applicants to acquire home ownership. The HALS also enabled the Housing Authority (HA) and the Housing Society to recover rental housing flats for re-allocation to families in need.

Eligible applicants (family group) were entitled to an interest-free loan of \$530,000 (repayable over 13 years) or \$390,000 (repayable over 20 years), or a monthly mortgage subsidy of \$3,800 (payable for 48 months). The loan and subsidy amount for single-person applicants was half of the above rates.

After conducting an overall review on the Scheme, the HA endorsed the immediate termination of the HALS on 14 July 2004.

Relief Measures on Loan Repayment

The HA endorsed on 19 February 2004 the grant of relief measures on the part of the HA loan to further assist eligible loan recipients under Home Purchase Loan Scheme (HPLS) and HALS to tide over short-term financial difficulties. Those loan recipients who wish to apply for the relief measures should fulfill specific eligibility criteria. They should first approach the participating bank for possible restructuring of the loan repayment arrangement. Upon arriving at an initial arrangement, the bank would recommend the application for the HA's approval.

1. Restructuring of the Bank Loan

- a. Freeze the repayment of the principal of the bank loan for a period of 12 months, while the mortgage interest is continued to be paid; and/or
- b. Extend the repayment period of the bank loan to 25 years.

2. Restructuring of the HA Loan

To reduce the monthly repayment of the HA loans by 50% for a maximum period of 12 months with provision for the deferred repayment to be repaid evenly over the residual loan repayment term. The eligibility criteria are as follows -

- a. the relief measures on HA loans should run in parallel with a 100% reduced repayment of the principal of bank loans;
- b. the monthly household income of the applicant has dropped by 15% or more compared with the income level at the time of loan application;

- c. the monthly aggregate of the applicant's current bank loan repayment and HA loan repayment exceeds 50% of his/her monthly household income;
- d. the net assets (excluding the mortgaged property) of singleton and family applicant do not exceed \$80,000 and \$120,000 respectively, and there is no other means with which the applicant can continue with the loan repayment; and
- e. the availability of a recommendation from the bank having regard to the repayment capability of the applicant.

Section A

Chapter 11: Tenants Purchase Scheme

The Housing Authority (HA) has accepted the Government's recommendation to halt the sale of public rental housing (PRH) units under the Tenants Purchase Scheme (TPS) after the last TPS Phase 6B. PRH units in existing TPS estates will continue to be available for sale to sitting tenants.

Eligibility to Purchase a TPS Flat

Sitting tenants of selected TPS estates can apply to purchase a TPS flat subject to fulfillment of the following conditions -

1. The purchaser must be the tenant or an authorized person listed in the tenancy agreement. All authorized persons listed in the tenancy agreement should be included in the same Letter of Offer.
2. The purchaser must be 18 years of age or above.
3. Spouses of the purchaser and respective authorized occupants must be listed in the same Letter of Offer unless they are lawfully divorced or do not have the right to land in Hong Kong (Addition to or deletion from the tenancy should be carried out in accordance with current regulations).
4. The purchaser and the authorized persons listed in the tenancy agreement must not be in breach of any conditions of the existing tenancy agreement.
5. If the purchaser or any of his/her household members is served with a Notice to Quit by the HA under the Marking Scheme for Estate Management Enforcement, the Letter of Offer he/she has submitted will not be accepted even if the Tenant has lodged an appeal against the termination of the tenancy. The intention money will be refunded to the purchaser in full without any interest.
6. A household comprising one nuclear family and occupying two rental flats can either choose to purchase or continue to rent the two flats at the same time.
(Note: Each Letter of Offer can only be used for purchasing one flat and two Letters of Offer are required for purchasing two flats.)
7. A household occupying two or more rental flats can purchase two flats at most in the name of the same purchaser and the remaining flats have to be returned to the HA. For a household comprising more than one nuclear family, they may apply for splitting and purchase the flats in the name of different purchasers

according to the above requirements; alternatively, the split family can purchase their flat and the other family may continue to rent the remaining flat, provided that the following conditions are fulfilled:

- a. each splinter group has to be a whole nuclear family;
 - b. the flat to be purchased must be physically separable from those retained on rental terms;
 - c. the prevailing splitting criteria of the estate must be fulfilled; and
 - d. the splitting arrangement must be approved by the respective Estate Office.
8. New tenants in TPS estates can purchase their flats at a price with full credit applicable at the time of commencement of the tenancy in the first year and at a price with half credit in the second year as from the date of commencement of the tenancy agreement.
9. Tenants paying market rent, ex-TPS owners and their authorized persons are not eligible for the special credit.

TPS flats available for Sale

All rental flats in the estate for sale will be available for purchase, except the following types of flats :

- flats under the Housing for Senior Citizens Scheme and Small Household Blocks;
- flats for welfare purposes; and
- flats with shared facilities (such as toilet, kitchen and main entrance).

Section A

Chapter 12: Housing Information Centre

Purpose

To assist enquirers displaced by redevelopment of private buildings (hereinafter called "enquirers") in solving their housing problems and other problems arising from relocation, the Housing Department has set up Housing Information Centre at Sham Shui Po to provide enquirers and the public with information and advice on public housing application and related matters.

Scope of Services

Services provided by the Housing Information Centre is mainly as follows -

1. Housing Matters

The Centre answers enquiries concerning the eligibility and application procedures for public rental housing, Home Ownership Scheme (HOS)/Private Sector Participation Scheme (PSPS) Flats, HOS/PSPS Flats in the Secondary Market (SMS). The Centre also provides the following assistance to enquirers who have already applied for public housing through the Waiting List -

- a. advising them on the latest position regarding their applications;
- b. assisting those who wish to change their choice of districts in order to shorten the waiting time in completing the procedures involved as soon as possible; and
- c. assisting those who can produce documents (such as the Eviction Order issued by the Lands Tribunal and the tenancy agreement was signed before the Landlord and Tenant (Consolidation) Ordinance came into effect on 9 July 2004, except the order issued due to the breach of tenancy condition(s)) to prove that he/she will shortly be evicted from his/her present abode, and provided that his/her application satisfies all the eligibility criteria and he/she is due for flat allocation within one year, priority will be given to processing his/her application.

2. Hardship Cases

For those enquirers having special difficulties, the Centre can refer their cases to the Social Welfare Department (SWD) for assessing their eligibility for Comprehensive Social Security Assistance and other welfare services. If they

are confirmed to be eligible for compassionate rehousing by the SWD, the Housing Department will allocate public housing units to them.

3. Other Services

The Centre provides oaths service to the public for matters relating to application for public housing. They also assist the enquirers in seeking free legal advice, or getting a better understanding of the regulations regarding the redevelopment of private buildings and other rent-related matters through the "Rent Officer Scheme", or advising them on how to apply to the Lands Tribunal for arbitration.

The Centre also provides Fax-on-demand enquiry service. The enquirers, especially the deaf persons, can easily make enquiries to the Centre through fax.

Locations and Office Hours

The location and office hours of the Housing Information Centre is as follows -

Sham Shui Po Housing Information Centre

Address -

Un Chau Estate Management Office
Podium Level
Un Chau Shopping Centre
Un Chau Estate
Shamshuipo

Telephone No.: 2779 4069

Fax No.: 2779 0154

Office Hours :

Mon - Fri: 8:30 am - 5:45 pm

(Closed on Saturdays, Sundays and general holidays)

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Section B

Estate Management and Rent Policy

Section B

Chapter 1: Domestic Rent Policy

Characteristics of Domestic Rent

Rents of domestic lettings are inclusive of rates, and have all along been maintained at a low level because of the provision of premium-free land and capital injections by the Government to the Housing Authority (HA). Rents are calculated on the basis of internal floor area (IFA). Apart from a few exceptions, rents per m² IFA are uniform for all the units in the same block irrespective of floor levels and orientation. Currently, the HA's housing stock of over 200 estates provides a broad range of flat types and rent levels for different groups of tenants.

New Rent Adjustment Mechanism

In January 2007, the Government introduced the Housing (Amendment) Bill 2007 to replace the statutory 10% median rent-to-income ratio in the Housing Ordinance (Cap. 283) with a new rent adjustment framework for public rental housing (PRH) that provides for both upward and downward rent adjustments according to changes in PRH tenants' household income. The Housing (Amendment) Ordinance 2007 was passed by the Legislative Council in June 2007 and came into operation on 1 January 2008.

Under the new rent adjustment mechanism, a review of PRH rent is conducted once every two years. The PRH rent is adjusted either upward or downward according to changes in the income index, which reflects changes in PRH tenants' household income and it is computed by the Census and Statistics Department. For downward rent adjustment, the PRH rent shall be reduced according to the rate of reduction of the income index. In case of upward rent adjustment, the PRH rent shall be increased by the rate of increase of the income index or 10%, whichever is the less. To provide a new starting point for the income-based rent adjustment mechanism to operate effectively, Housing Authority reduced the PRH rent by 11.6% starting from August 2007. The first rent review exercise under the new rent adjustment mechanism was conducted in 2010 with an upward adjustment of rent by 4.68% which took effect from September 2010.

The new rent adjustment mechanism provides a more flexible framework that matches more closely to tenants' affordability and helps promoting the long-term sustainability of the PRH programme.

Rent Setting for New Estates

The HA conducts two rent fixing exercise annually to determine the rent for newly completed PRH estates. For rent setting purpose, the HA divides the territory into six broad districts. The rent of newly completed estates is fixed according to the "best rent" for each district, which is expressed in terms of per m² of IFA.

With the introduction of the new rent adjustment mechanism, the Housing Authority reduced the "best rent" for all districts by 11.6% with effect from August 2007. The same income index adopted under the new rent adjustment mechanism is also applied to determine the future adjustments of the "best rent" for newly completed PRH estates. Following the upward adjustment of rent by 4.68% for the first rent review under the new rent adjustment mechanism which took effect from September 2010, the district best rent was also adjusted by an increase of 4.68%.

Section B

Chapter 2: Rent Assistance Scheme

Aim

The Rent Assistance Scheme (RAS), which was first introduced on 1 September 1992, aims at granting relief in the form of rent reduction to domestic tenants in Public Rental Housing (PRH) and licensees in Interim Housing (IH) who are facing temporary financial hardship.

The Current Policy

Since the introduction of RAS in 1992, the eligibility criteria of RAS have been reviewed on four occasions viz. 1992, 1995, 2002 and 2005. With effect from 1 August 2007, eligibility criteria of the scheme has been further relaxed so that assistance is more readily available to needy tenants. PRH tenants / IH licensees who satisfy the following eligibility criteria may apply for rent assistance for granting either 25% or 50% rent reduction -

1. The household income meets either one of the following criteria -
 - a. Non-elderly Households (Eligible for 50% rent reduction)
 - the household income is below 50% of the Waiting List Income Limit (WLIL); or
 - the rent-to-income ratio (RIR) exceeds 25%; or
 - the household income is between 50% and 70% of the WLIL and RIR exceeds 15%.
 - b. Non-elderly Households (Eligible for 25% rent reduction)
 - the household income falls below 70% but not lower than 50% of the WLIL; or
 - RIR exceeds 18.5% but not exceeding 25%.
 - c. Elderly Households (Eligible for 50% rent reduction)
 - elderly household (i.e. all household members aged 60 or above) with income falls below 70% of the WLIL; or
 - With RIR exceeds 18.5%.
2. The tenant / licensee and all family members included in the tenancy agreement/licence must not own any domestic property in Hong Kong;

3. The family should not be occupying a flat with size exceeding the respective maximum allocation standard. However, the last remaining tenant of a converted one-person flat who has accepted automatic offer to occupy the whole flat may apply even though he occupies a flat exceeding the prevailing maximum allocation standard;
4. Applicant's household is not receiving Comprehensive Social Security Assistance (CSSA) with rent allowance;
5. Households living in newer block types (Harmony blocks and HOS/PSPS/BRO transferred blocks or any block types with actual completion date of the building falls on or after 1992), may not apply for rent assistance until they have lived in the flat for two years or affected by rent increase upon rent review or there is drastic change in family circumstances resulting in adverse effect on their household income;
6. Tenants affected by redevelopment are allowed to apply for rent assistance immediately upon rehousing to new or refurbished flats;
7. The eligibility of all RAS beneficiaries is reviewed annually to determine whether rent assistance should continue to be granted to them. RAS beneficiaries should take the initiative to inform the Housing Department for a review of their eligibility when there is an increase in their household income;
8. After receiving rent assistance for three consecutive years, non-elderly RAS recipients living in newer block types will be required to move to cheaper accommodation if suitable flats are available. Suitable flats refer to those in the same District Council with monthly rent at least 20% less than the full monthly rent (i.e. the rent payable if rent assistance is not available) of the flats occupied by the RAS beneficiaries concerned;

Upon acceptance of housing transfer, the RAS beneficiaries will be entitled to receive a Domestic Removal Allowance and will enjoy a rent-free period of one month in respect of the new tenancy. However, a rent-free period of one month is not applicable to their old tenancies. For families who refuse to transfer, they may stay-put but their rent assistance will be ceased.

Elderly households, households with disabled members and all RAS beneficiaries living in older block types (except under-occupation cases) are exempted from the requirement of moving to cheaper accommodation.

Section B

Chapter 3: A Rent-free Period of 14 Days

By making reference to the average time taken by individual households on preparing for moving to their flats, the Housing Authority has, since 24 April 1993, given all new tenants, a rent-free period of 14 days so that decoration can be carried out before the commencement of tenancy. Individual tenant may, however, opt for earlier commencement of tenancy according to his/her own needs.

For other cases, households who are eligible for Domestic Removal Allowance (including tenants affected by redevelopment/clearance of estate/management transfers) may also enjoy a rent-free period of one month in respect of their old tenancies apart from a 14-days rent-free period for their new tenancies. The effective date of such period is determined by the commencement date of the new tenancy. For example, if the new tenancy commences on 16 September 2011, the rent-free period in respect of the old tenancy will be from 16 September 2011 to 15 October 2011.

Section B

Chapter 4: Housing Subsidy Policy

Since 1 April 1987, the Housing Authority has been implementing the Housing Subsidy Policy (HSP) with the objective of reducing housing subsidy to public housing tenants who are no longer in need of it. Under the HSP, households who have been living in public rental housing for ten years or more are required to declare household income biennially. This measure has been extended to households in interim housing (IH) with effect from 26 June 1997. Residents who have been living in public housing (including IH) for ten years or more counting from the aforesaid date are required to declare their household income at a biennial cycle under HSP. Those who choose not to declare their household income are required to pay double net rent/licence fee plus rates while those with a household income exceeding the corresponding Subsidy Income Limits (SILs) to pay 1.5 times or double net rent/licence fee plus rates as appropriate. The SILs are subject to annual review. Those effective from 1 April 2011 are as follows -

Household Size	Subsidy Income Limits (per month)	
	Households with income in between the following ranges are required to pay 1.5 times net rent/licence fee plus rates	Households with income exceeding the following limits are required to pay double net rent/licence fee plus rates
1 person	\$17,481 - \$26,220	\$26,220
2 persons	\$26,821 - \$40,230	\$40,230
3 persons	\$30,521 - \$45,780	\$45,780
4 persons	\$37,121 - \$55,680	\$55,680
5 persons	\$43,041 - \$64,560	\$64,560
6 persons	\$50,081 - \$75,120	\$75,120
7 persons	\$54,681 - \$82,020	\$82,020
8 persons	\$57,901 - \$86,850	\$86,850
9 persons	\$64,461 - \$96,690	\$96,690
10 persons or more	\$67,181 - \$100,770	\$100,770

Households exempted from the application of HSP are : (i) whose members are all aged 60 or above; or (ii) with all members receiving Comprehensive Social Security Assistance; or (iii) who are on shared tenancies

Households who are paying double or 1.5 times net rent/licence fee plus rates may, as appropriate, apply for paying 1.5 times net rent/licence fee plus rates or normal rent/licence fee if their household income falls below the corresponding SILs for three consecutive months. If the drop in household income is of permanent nature due to deletion/death of income-earning members, or because of addition of household

members, the household income no longer exceed the prescribed limit, households paying additional rent/licence fee may apply for immediate payment of rent/licence fee at lower level.

Furthermore, with effect from 23 January 2001, public housing households are subject to the application of the HSP irrespective of the length of their residence in public housing if their applications under various tenancy management policies have been approved after passing the comprehensive means test and satisfying the respective criteria and they are required to pay normal or 1.5 times net rent/licence fee plus rates. The rent/licence fee payment level of their public housing flats will be reviewed biennially. They will be required to declare their household income one year before the review time for the assessment of their rent/licence fee payment level in the coming year.

Section B

Chapter 5: Policy on Safeguarding Rational Allocation of Public Housing Resources

The Housing Authority endorsed in April 1996 the implementation of the Policy on Safeguarding Rational Allocation of Public Housing Resources (SRA) whereby household income and net assets value are adopted as the two criteria for determining public rental housing households' eligibility to continue to receive public housing subsidy. Interim Housing (IH) licencees are also subject to the SRA to declare assets with effect from 26 June 1997. According to the SRA, households paying double net rent/licence fee plus rates under the Housing Subsidy Policy (HSP) have to declare assets at the next cycle of declaration (two years from the last declaration under the HSP) if they wish to continue to live in public housing.

Households with members all aged 60 or above or all are receiving Comprehensive Social Security Assistance or households on shared tenancies are exempted from income and assets declarations.

On 5 February 1999 the Housing Authority reviewed the SRA and decided that households whose total household income and net assets value both exceed the prescribed Subsidy Income Limits and Net Assets Limits, or those who choose not to declare assets (including households who fail to provide all the required information to prove that their total net household assets do not exceed the prevailing assets limits) are required to vacate their public housing flats.

Households who are required to vacate their public housing flats but have a temporary housing need may apply for a fixed-term licence to stayput in the public housing flat for a period of not more than 12 months, during which licence fee equivalent to the double net rent plus rates or market rent (whichever is the higher) will be charged.

During the period of temporary stay, if the household can prove that either the total household income or net assets value has dropped below the prescribed limits for a continuous period of three months, they may apply for grant of tenancy and payment of a rent at lower level. If the drop is of permanent nature, they may apply immediately.

Furthermore, with effect from 23 January 2001, public housing households are subject to the application of the SRA irrespective of the length of their residence in public housing if their applications under various tenancy management policies have been approved after passing the comprehensive means test and satisfying the respective criteria and they are required to pay double net rent/licence fee plus rates. Their eligibility of renting a public housing flat will be reviewed biennially. They will be required to declare their household assets one year before the review time for the assessment of their eligibility of renting a public housing flat in the coming year.

The current assets limits are set at about 84 times of the 2011/2012 Waiting List Income Limits (WLILs). These limits will be reviewed annually.

The prescribed Income and Net Assets Limits effective from 1 April 2011 are as follows :

Household Size	Income Limits (per month) (3 times 2010/2011WLIL)	Net Assets Limits (84 times 2010/2011WLIL)
1 person	\$26,220	\$740,000*
2 persons	\$40,230	\$1,130,000*
3 persons	\$45,780	\$1,290,000*
4 persons	\$55,680	\$1,560,000
5 persons	\$64,560	\$1,810,000
6 persons	\$75,120	\$2,110,000
7 persons	\$82,020	\$2,300,000
8 persons	\$86,850	\$2,440,000
9 persons	\$96,690	\$2,710,000
10 persons or more	\$100,770	\$2,830,000

* The net assets limits for small households at sizes of 1-person to 3-person with all members aged over 55 are the same as that of a 4-person household i.e. \$1,560,000.

Section B

Chapter 6: Biennial Inspection and Biennial Declaration of Family

To strengthen the public rental housing (PRH) and interim housing (IH) tenancy control, thus ensuring the proper utilization and rational allocation of scarce public housing resources, the Housing Department (HD) has implemented a simplified and efficient Biennial Inspection System (BIS) with effect from 1 November 2008. Pursuant to Section 22 of the Housing Ordinance, the HD staff will conduct flat inspection biennially to verify the use and occupation conditions of the PRH and IH units.

Under the arrangement, all PRH tenants/IH licensees are no longer required to complete the declaration forms for declaring their occupancy position (OP). Instead, HD staff would make use of a Personal Digital Assistant (PDA) supported by a tailor-made Mobile Application System for Housing Management to conduct flat inspection. In the course of flat visit, the HD staff will check the OP of the households concerned against the record of HD and input the findings to the PDA. If there is any change of family particulars, such as birth, death, marriage or departure of any family members, the tenant should inform the HD staff on the spot and subsequently proceed with the necessary formalities for addition, deletion or application for grant of new tenancy, as appropriate. Besides, our staff will take the opportunity during flat inspection for detecting irregularities, and hence unveiling and tackling tenancy abuses as early as possible.

PRH and IH blocks formally announced for redevelopment/clearance will be exempted from BIS.

Nevertheless, owners who have purchased their flats under any subsidized home ownership schemes by joining the Priority Scheme for Families with Elderly Members are still required to make biennial declaration on OP of their properties purchased until the death (or the deletion under special circumstances) of the elderly member or the lifting of the restriction against alienation upon lapse of the restriction period and full payment of premium to HA.

Section B

Chapter 7: Deletion/Addition/Conditional Temporary Stay of Family Members

Deletion of Family Members

Public housing tenant and family members listed in the Tenancy Agreement (TA) should retain regular and continuous residence in the leased premises. 'Regular and continuous' should be construed in accordance with its ordinary meaning and reasonableness is the crucial yardstick in judging cases. The Hong Kong Housing Authority (HA) should be notified immediately of any alteration in the family caused by births, deaths or otherwise.

Any family member who wishes to delete his/her own name voluntarily from a public housing tenancy may do so by making a written request. If his/her departure is proven (by supporting document, through flat inspections, or otherwise), the tenant will be invited to complete the deletion formalities and present his/her copy of TA for amendment.

If a family member has not been living in the public housing flat for a long time for no particular reason, a letter will be sent to him/her indicating that because of his/her long absence, his/her name will have to be deleted. If the absentee fails to respond after a reasonable period (normally one month), the tenant will be invited to complete the deletion formalities and present his/her copy of TA for amendment. Reinstatement of the deleted members is generally not permitted.

Any amendment to the list of family members in a TA requires tenant's consent. If the tenant is not cooperative, HA will leave the TA intact without amendment and effect the deletion by updating internal records. Letter will be issued to inform tenant of the action taken and advise him/her to complete the deletion formalities early.

To safeguard rational allocation of public rental housing (PRH) resources, if a public housing flat becomes under-occupied after deletion of household members, HA will arrange for transfer of the household to another public housing flat of suitable size. If a most serious under-occupied household (i.e. with living density over 34 sq. m per person and without aged 60 or above or disabled family member) refuses four housing offers without acceptable reason, HA will serve notice to quit to terminate the tenancy pursuant to Section 19(1)(b) of the Housing Ordinance and recover the flat.

Addition of Family members

In order to strengthen the family-based support network, HA revised its

Addition Policy on 15 May 2007 with a package of initiatives to foster harmonious families.

The revised policy is applicable to public rental housing (PRH) tenants. Person seeking for addition should be a Hong Kong resident but is not required to satisfy the seven-year residence rule. The following eight categories of persons may be added to the existing tenancy upon fulfilling the stipulated eligibility criteria-

1. tenant's spouse; or
2. newborn babies or children under the age of 18 if both parents are authorised persons (APs), or if one of the parents who is an AP is genuinely alone (e.g. widow, widower, or the AP's spouse not being a Hong Kong resident) and, should the one parent be not alone, his/her spouse should be among the 'permitted categories' for addition; or
3. the spouse and children under the age of 18 of one of tenant's married offspring, provided that the married offspring is an AP under the tenancy. After the addition, the other household member(s) is/ are not allowed to further request for addition of spouse or children and they will be deleted from the tenancy upon moving out; or
4. dependent parents aged 60 or above of tenant or his/ her spouse; or
5. dependent grandparents aged 60 or above of tenant or his/her spouse; or
6. dependent relatives in exceptional circumstances for whom constant care is essential, e.g. disabled (for grandchild under the age of 18 whose parents cannot provide any care, e.g. parents are not Hong Kong residents or are disabled, etc., constant care from tenant for them is considered essential. If tenant or his/her spouse possesses supporting documents in proving his/her legal guardianship over the grandchild, tenant may apply for addition of his/her grandchild into the tenancy upon fulfilling other eligibility criteria under the Addition Policy); or
7. elderly relatives aged 60 or above of tenants living in 'Converted 1 Person' flats and under Automatic Offer Scheme; or
8. one adult offspring of elderly tenant, regardless of his/ her marital status and his/her family members, is eligible for addition, subject to the 'one-line continuation rule' (i.e. neither addition of an adult offspring when there is a branch family in the tenancy nor addition of a branch family when there is already an adult offspring in the original tenancy will be allowed).

For addition of persons under categories (3) to (8) mentioned above, the whole household (including the member(s) to be added) must pass the comprehensive means

test (CMT) for assessment of its eligibility. The income and asset limits adopted for the CMT are the same as those used in the Housing Subsidy Policy (HSP) and the Policy on Safeguarding Rational Allocation of Public Housing Resources (SRA).

For addition of parents/grandparents, dependent relatives, elderly relatives of C1P tenants and adult offspring of elderly households, the whole household should also meet the no-domestic-property requirement (Note 1). For addition of adult offspring, the adult offspring to be added should sign an undertaking to indicate that they will live in harmony with their elderly parent(s) and assume filial responsibilities. No splitting of tenancies will be entertained in normal circumstances. In case subsequent splitting is required for special reasons, HA will only offer interim housing in the New Territories to the splinter household composed of the adult offspring.

After successful addition, the households should pay normal rent, 1.5 times or double net rent plus rates (Note 2) according to the level of their household income. Irrespective of the length of residence in PRH or the rent level, the household should declare the household income and/or assets biennially to facilitate determination of the rent payable, and assessment of the eligibility for continuous renting of the PRH flats (Note 3).

Apart from the eight categories of persons listed above, application for addition of other persons will not be considered.

Conditional Temporary Stay

To enable needy tenants (Note 4) to be taken care of by their family members or close relatives, and vice versa, tenant may apply for conditional temporary stay of the following four categories of persons in PRH-

1. needy tenant's adult offspring who cannot be added because of failing 'one-line continuation rule', CMT or DPT;
2. needy tenant's sibling (limit to one sibling) and his/her branch family;
3. grandchild dependent on tenant (Note 5); and
4. relative dependent on tenant.

To apply for conditional temporary stay, relevant documents should be produced to prove the relationship between the tenant and the temporary stayer(s). The whole household is required to report on their family particulars (occupation position) once every 6 months and the temporary stayer(s) should move out within 3 months when the need to look after the tenant, and vice versa, ceases to exist.

If the temporary stayers have a long-term housing need, they have to acquire PRH through application on the Waiting List (WL). They may register on the WL together with the tenant and may also join the Harmonious Families Priority Scheme so that their housing allocation may be advanced.

Since Housing for Senior Citizens are hostel-type housing units and are not designed for the residence of families, elderly tenants should inform the estate office upon marriage or family reunion. HA will assist the elderly tenants to solve their housing problem according to the prevailing transfer mechanism.

Amalgamation of Tenancies for Harmonious Families

Elderly and young sitting tenants living separately in PRH estates may apply for amalgamation of their tenancies. The amalgamated household may apply for transfer to one PRH unit of suitable size. It can move to any district and be offered new flat, subject to availability of resources. A maximum of three allocation offers can be made after which the application will be cancelled. The young family has to undertake to look after and to live together with the elderly, otherwise the tenancy may be terminated. The application of the HSP and the SRA to the new household will depend on the length of residence in PRH of the elderly or young family, whichever is the longer; and the income/assets test to be applied will be in respect of the amalgamated household.

Note 1 All the household members must meet the no-domestic-property requirement, i.e. from the date of Application to the approval of Application, none of the household members (i) owns or co-owns with others any domestic property, (ii) has entered into an agreement to purchase any domestic property, and (iii) holds more than 50% of share in a company which owns (directly or through its subsidiaries) any domestic property in Hong Kong. Domestic property includes post-war domestic property, uncompleted private domestic property, uncontrolled or self-occupied pre-war domestic property, rooftop structure approved by the Building Authority, domestic building lots and Small House Grants in Hong Kong.

Note 2: The household should pay the normal rent if the total household income does not exceed 2 times the Waiting List Income Limit (WLIL); pay 1.5 times net rent plus rates if such income is between 2 and 3 times the WLIL; or pay double net rent plus rates if such income is more than 3 times the WLIL but the net assets of household does not exceed the specified assets limits.

Note 3: Households paying normal rent or 1.5 times net rent plus rates shall declare their household income biennially, those paying double net rent plus rates shall declare their household assets biennially; for households where tenancies are granted under the Policy on Grant of New Tenancy, they shall

continue to declare their household income and assets biennially as required under the policy notwithstanding the rent level payable.

Note 4: Tenants in the following conditions are considered "needy"-

1. aged 60 or over, living alone or in household with all members aged 60 or over and the dependency is proved by medical certificate (medical certificate is not required for needy tenant aged 75 or over and living alone); or
2. disabled and living alone and the dependency is proved by medical certificate; or
3. aged 60 or over, dependency proved by medical certificate and living with APs who cannot be tenant's care-giver (e.g. imprisoned, disabled, mentally ill, etc.)

Note 5: For grandchild under 18 whose parents cannot provide any care, e.g. parents are not Hong Kong residents or are disabled, etc., constant care from tenant for them is considered essential. If tenant or his/her spouse does not possess supporting documents in proving his/her legal guardianship over the grandchild, tenant may apply for conditional temporary stay for the grandchild.

Enquiries

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Section B

Chapter 8: Policy on Grant of New Tenancy

The Hong Kong Housing Authority (HA) has implemented the Policy on Grant of New Tenancy (GNT) since 5 February 1999. Upon the death of a tenant, the surviving spouse who is an authorised occupant (AO) of the public rental housing (PRH) flat may take over the tenancy unconditionally. Where there is no authorised surviving spouse, the tenancy may be granted to a family member who is an AO living in the PRH flat. However, this household has to undergo a comprehensive means test (CMT) covering both income and assets in order to assess the eligibility for grant of a new tenancy and determine the rent level payable.

The following PRH households will be exempted from the CMT applicable under the GNT Policy –

1. households on shared tenancies;
2. households who have nominated an elderly member to be the principal tenant under the Families with Elderly Persons Priority Scheme (renamed as Harmonious Family Priority Scheme) before the effective date of the GNT Policy(Note 1);
3. households who have appointed an elderly member to be the principal tenant under the then Enhancement Schemes for Sitting Tenants before the effective date of the GNT Policy (Note 1);
4. households receiving Comprehensive Social Security Assistance (CSSA) (i.e. all family members receiving CSSA);
5. households whose members are aged 60 or above; and
6. compassionate and special cases recommended by the Social Welfare Department.

The income and asset limits adopted for the CMT are the same as those used in the Housing Subsidy Policy and the Policy on Safeguarding Rational Allocation of Public Housing Resources (reviewed annually).

The following limits takes effect from 1 April 2011 and are subject to annual review -

Household Size	Income Limits (per month)		Net Assets Limits
	(2 times the 2011/2012 Waiting List Income Limit)	(3 times the 2011/2012 Waiting List Income Limit)	(84 times the 2011/2012 Waiting List Income Limit)
1 person	\$17,480	\$26,220	\$740,000*
2 persons	\$26,820	\$40,230	\$1,130,000*
3 persons	\$30,520	\$45,780	\$1,290,000*
4 persons	\$37,120	\$55,680	\$1,560,000
5 persons	\$43,040	\$64,560	\$1,810,000
6 persons	\$50,080	\$75,120	\$2,110,000
7 persons	\$54,680	\$82,020	\$2,300,000
8 persons	\$57,900	\$86,850	\$2,440,000
9 persons	\$64,460	\$96,690	\$2,710,000
10 persons or more	\$67,180	\$100,770	\$2,830,000

* The net asset limits for 1-person, 2-person and 3-person households with all members aged over 55 are the same as that of a 4-person household, i.e. \$1,560,000

Households whose income does not exceed 2 times the Waiting List Income Limits (WLIL) will be granted a new tenancy and pay normal rent. For households whose income is between 2 and 3 times the WLIL, they will be allowed to take over the tenancy and pay 1.5 times net rent plus rates. As regards those whose income is more than 3 times the WLIL but the net asset value does not exceed the specified asset limits, they will be granted a new tenancy and pay double net rent plus rates. Households acquiring a new tenancy under the GNT Policy will be required to declare income and assets biennially, irrespective of their length of residence in PRH so as to facilitate determination of the rent payable and assessment of the eligibility to continue renting of the PRH flats.

For families with income and net asset value both exceeding the prescribed limits or those who choose not to declare household income/assets, they will not be granted a new tenancy and are required to surrender their PRH flats. Those still in need of accommodation may apply to HA for temporary stay of PRH flats they are occupying for a maximum period of 12 months. During the temporary stay, they are required to pay licence fee equivalent to double net rent plus rates or market rent (whichever is the higher).

If an extra-rent payer or licence holder can prove that his/her total household income or net asset value has dropped below the then prescribed limits for a continuous period of 3 months, the former may apply for reversion to payment of lower rent and the latter may apply for grant of new tenancy. If the drop in income or

net asset value is of permanent nature, they may apply immediately.

The implementation of the GNT Policy is also applicable to licensees of interim housing.

Note 1 : The exemption will only apply to take-over of the tenancy from that particular elderly by the original applicant of the Waiting List application or his/her spouse.

Section B

Chapter 9: Housing Arrangements for Divorced Couples in Public Rental Housing (PRH) Flats

In view of the complexity of divorce matters, a common sense and flexible approach, taking individual circumstances into consideration, is always adopted by the Housing Department (HD).

In general, HD will not take active step to secure removal of either party during their separation as this may only create burden to the family in crisis, and exclude the chance of reconciliation.

Upon finalization of the divorce proceedings, tenant and/or his/her ex-spouse should approach local estate office. HD staff will explain relevant tenancy management policy to the divorcee(s) during interview. Information contained in ensuing paragraphs is for general reference purpose only.

Divorce Cases Not Involving Additional PRH Resources

If an agreement cannot be reached by the divorcees on the public housing tenancy, HD will generally favour the grant of the tenancy to-

1. the party having the custody of all children (if there are no other authorized occupants in the tenancy); or
2. the party comprising all authorized occupants (such as grown-up children, parents, in-laws etc.); or
3. (for joint custody cases) the party having the legal right to live with the offspring continuously and permanently (if applicable).

The single party upon divorce should leave the PRH flat. In case of difficulties in finding accommodation, he/she may-

1. apply for an interim housing unit in the New Territories subject to fulfillment of the eligibility criteria (including the criteria on income and asset limits and ownership of domestic properties); and
2. apply for PRH through the Single Person Waiting List and be given a credit of waiting time equivalent to the length of the former tenancy up to a maximum of 3 years.

Divorce Cases Involving Additional PRH Resources

If each divorcee has the custody of one or more children, or the tenancy consists of other relatives, separate housing units may be allocated to the divorced parties provided that both of them satisfy the following criteria (test separately)-

1. Comprehensive means test (CMT), i.e. the household (family members who are going to live together if the application for additional housing unit is approved) income and asset do not exceed the Waiting List Income and Asset Limits; and
2. Domestic property test (DPT), i.e. during the period from the date of application up to the date of signing up a new tenancy for the additional flat allocated, all family members must not own any domestic property in Hong Kong.

Alternatively, both or either party may apply for a Green Form Certificate (valid for one year) to purchase a flat under the subsidised home ownership schemes in lieu of the offer of a PRH.

Upon allocation of separate PRH flats, both parties are required to declare their household income/assets every two years irrespective of their length of residence in PRH. Households paying normal or one and a half times net rent plus rates should declare their household income biennially, those paying double net rent plus rates should declare their household assets biennially; households with tenancies granted under the Policy on Grant of New Tenancy should continue to declare their household income and assets every two years.

Divorce Cases Ineligible for Additional PRH Resources

Any party who fails either the CMT or DPT will be required to move out from the PRH flat. For a non-property-owning party who fails the CMT, a one-year temporary stay in interim housing in the New Territories may be granted upon application (market licence fees will be charged during this period).

In case both parties fail any of the tests, they may be allowed to withdraw their application for allocation of separate PRH flats and they should make their own accommodation arrangements.

If required, they should approach Social Welfare Department (SWD) for appropriate assistance.

Divorce between Authorized Occupants

Tenant should not be deprived of the tenancy right because of the divorce between authorized occupants. Normally, the divorcee who is not directly related to

the tenant (e.g. the in-laws) will be required to move out and be deleted from the tenancy. The departing party should approach the SWD for appropriate assistance, if required.

Conditional Tenancy

If the legal proceedings involved in the case are expected to be protracted ones and the aggrieved party with dependent children concerned has genuine and urgent need for a separate PRH unit, HD will, upon recommendation by the SWD, provide them with temporary accommodation in a PRH estate in the form of a conditional tenancy (CT) under the Compassionate Rehousing Category.

With effect from 29.11.2001, the CT policy is extended to include the following persons who **fall victims to domestic violence and have petitioned for divorce** -

1. spouses having no offspring; and
2. spouses bringing along no dependent children.

Nevertheless, CTs will only be offered to those with a genuine need upon the SWD's recommendation.

Upon finalization of divorce proceedings, CT beneficiary is required to pass the CMT with income and asset limits pitched at the prevailing Waiting List levels, the DPT and to be granted the custody of dependent child(ren) before conversion of a CT into a normal tenancy.

CT beneficiary who fails any of the conversion test(s) should surrender the PRH flat. Meanwhile, he/she may approach the SWD to see if he/she is still eligible for CR. For case with CR eligibility reaffirmed, a normal tenancy for the flat under existing CT will be granted.

Enquiry

This website provide general information for reference purpose only. For details, please contact the concerned estate office.

Section B

Chapter 10: Policy on Household Splitting

Any public rental housing (PRH) tenants having serious and deep-rooted disharmony among family members or other reasons deserving sympathetic consideration, the Hong Kong Housing Authority (HA) will consider their requests for household splitting on individual merits subject to the recommendation of the Social Welfare Department (SWD).

Splitting Requests from Sharing Households Originated from the Compulsory Categories

Splitting requests raised by sharing households originated from the compulsory categories (single persons affected by clearance or redevelopment, who were arranged by HA or had chosen to share accommodation with unrelated or distantly related members) on grounds of need (e.g. overcrowding or inconvenience to flats sharer(s) brought by addition of family members, disputes, etc.) will be considered and treated with priority. The arrangements are as follows -

1. The applicants will not be required to undergo the comprehensive means test (CMT) but the party applying for splitting and wishing to move to another PRH flat will have to meet the no-domestic-property requirement (Note 1).
2. Upon approval of splitting, the splinter household may be allocated another PRH flat, or he/she may choose to purchase a flat under the Sales of Surplus Home Ownership Schemes (HOS) Flats or HOS Secondary Market Scheme by using Green Form status (valid for one year) in lieu of the offer of a PRH flat.
3. Both the main and the splinter households will have to declare their household income/assets under the Housing Subsidy Policy and the Policy on Safeguarding Rational Allocation of Public Housing Resources in normal turn.

Splitting Requests from Sharing Households on a Voluntary Basis and Family Households

Splitting applications under this category are voluntary. If any family member has no intention to request for household splitting, the splitting application by other family members will not be accepted. However, the latter may authorise HA to refer their case to SWD for appropriate assistance, e.g. compassionate rehousing.

Splitting requests raised by sharing households on a voluntary basis and family households will be subject to the following arrangements -

1. If justified on compassionate grounds, applying households should satisfy the following criteria -
 - a. the main and splinter households should be separately subject to the CMT with income and asset limits pitched at the Waiting List levels; and
 - b. both the main and splinter households should meet the no-domestic-property requirement.
2. If both the main and splinter households pass the above tests, the splitting request will be referred to the Integrated Family Services Centres/Integrated Service Centres under SWD or subvented Non-governmental Organisations for assessment. Upon SWD's recommendation, the splinter household will be offered a refurbished flat in the New Territories (NT). They may choose to purchase a flat under the Sale of Surplus HOS Flats or HOS Secondary Market Scheme by using Green Form status (valid for one year) in lieu of the offer of a PRH flat.
3. Upon allocation of another PRH flat, both the main and splinter households are required to declare their household income and/or assets biennially, irrespective of their length of residence in public housing to facilitate determination of the rent payable, and assessment of the eligibility for continuous renting of the PRH flats (Note 2).
4. If either the main household or the splinter family fails the CMT and/or cannot meet the no-domestic-property requirement, the splitting application will not be considered. If the party meets the no-domestic-property requirement but fails only the CMT, the party may apply for temporary stay in the NT interim housing. If approved, the period of temporary stay shall not exceed one year. During the period, market licence fees will be paid.
5. If application for splitting is rejected for failing the stipulated eligibility criteria, but deserves sympathetic consideration, HA shall refer the case to SWD for consideration of CR or other housing assistance, as appropriate.
6. If either or both parties fail the CMT and/or cannot meet the no-domestic-property requirement, the household may withdraw the splitting application and make its own accommodation arrangement.

7. HA will allocate to the splinter household a PRH flat of a size commensurate with the number of household members subject to the availability of housing resources and in accordance with the allocation policy. If under-occupation arises in the main household, the household is required to move to a PRH flat of a suitable size.
8. If the household has been allotted points under the Marking Scheme for Estate Management Enforcement in Public Housing Estates before additional PRH is allocated, the valid points will be allotted to the household which comprises the existing tenant, whereas the other household will not carry any points.

Note 1 "No-domestic-property" means during the period from the date of application for splitting to the date of signing a new tenancy agreement of the PRH flat allocated to the splinter household in consequence of the application, none of the household members (i) owns or co-owns with others any domestic property, (ii) has entered into an agreement to purchase any domestic property, and (iii) holds more than 50% of shares in a company which owns (directly or through its subsidiaries) any domestic property in Hong Kong. Domestic property includes post-war domestic property, uncompleted private domestic property, uncontrolled or self-occupied pre-war domestic property, rooftop structure approved by the Building Authority, domestic building lots and Small House Grants in Hong Kong.

Note 2 Households paying normal rent or 1.5 times net rent plus rates shall declare their household income biennially; those paying double net rent plus rates shall declare their household assets biennially; for households where tenancies are granted under the Policy on Grant of New Tenancy, they shall continue to declare their household income and assets biennially as required under the policy notwithstanding the rent level payable.

Enquiries

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Section B

Chapter 11 : Surrender of Public Housing Flats upon Acquisition of Another Form of Subsidised Housing

To address the practical difficulties encountered by the tenants on the one hand and to uphold the principle of discouraging tenants from enjoying double housing benefits for a prolonged period on the other, the Housing Authority implements the policy on 'Surrender of Public Housing Flats upon Acquisition of Another Form of Subsidised Housing'.

The Policy

Public rental housing (PRH) tenants/ Interim Housing (IH) licensees are required to tender notice to quit (NTQ) to terminate the original tenancies/licences provided a 14-day advance notice is given and surrender the existing public rental housing (PRH) unit to the Housing Authority within 60 days upon-

1. commencement of new PRH tenancies/IH licences (including Housing Society tenancies);
2. taking over keys of the flats purchased under Sale of Surplus Home Ownership Scheme (HOS) Flats/ Private Sector Participation Scheme/ Buy or Rent Option';
3. execution of deeds of assignments of the flats purchased under HOS Secondary Market Scheme;
4. execution of deeds of assignments/ new mortgage deeds or receipt of the first subsidy payments of Home Assistance Loan Scheme.

In case of need, households concerned may apply for an extended stay for a maximum period of **30 days**, during which they are required to pay an occupation fee equivalent to-

1. triple net rent/ licence fee plus rates; or
2. (if they are market rent/licence fee payers at the time of termination of tenancy/licence) market rent/ licence fee or triple net rent/licence fee plus rates (whichever is the higher).

An occupation fee has to be paid in advance and in full.

Example

If a PRH tenant takes over the keys of a flat purchased under Sale of Surplus HOS Flat on 1.1.2011, he is required to surrender his original flat to HA on or before 1.3.2011 by serving a NTQ. In case of need, he may apply for extension of stay, up till 31.3.2011. An occupation fee is payable during the extended stay from 2.3.2011 to 31.3.2011.

Estate Clearance Cases

For equitable reason, tenants affected by estate clearance should also comply with the above policy.

Enquiries

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Section B

Chapter 12: Issue of Notice to quit and Appeal Procedures

In connection with any serious breach of leasing condition proven by detailed investigation, or, when it is considered necessary to recover the public rental housing flat during enforcement of management policies, a notice to quit will be issued by respective District Senior Housing Manager to require concerned tenant to vacate his/her flat. The notice to quit will be attached to a covering letter stating the reasons for terminating the tenancy and the tenant's right of appeal within the period specified.

By virtue of Section 20(1) of the Housing Ordinance, a tenant has a right of appeal against termination of his/her tenancy but he/she must lodge the appeal to the Appeal Panel (Housing), not later than 15 days after the date on which the notice to quit has been given. If the tenant is unable to lodge the appeal personally because of ill-health, absence from Hong Kong, etc., the chairman of Appeal Panel (Housing) may permit an authorized person in the tenancy agreement to lodge appeal on behalf of the tenant.

Section B

Chapter 13: Approved Decoration Contractor System

The Approved Decoration Contractor (ADC) System aims at protecting public rental housing (PRH) tenants' interests by preventing infiltration of illegal elements so that decoration works in new estates can be carried out in an orderly manner.

The Housing Department has established a set of eligibility criteria for registration of ADCs on the approved list. Before registration, all qualified decoration contractors will be checked by the Police to confirm that they have not been involved in triad activities.

Licences will be granted to ADCs for undertaking decoration works for PRH tenants. With a view to providing sufficient ADCs for carrying out decoration services in new estates, the ratio of 1 contractor to every 250 households is adopted. The sequence of appointment of ADCs is decided by ballot and, when the list is about to be exhausted, a second ballot will be conducted.

PRH tenants who wish to decorate their units are free to opt for self-decoration by themselves/their friends and relatives or appoint any of the ADCs selected by the Department for that estate. Negotiation of decoration prices is a matter between tenants and contractors. Terms and Conditions for Decoration Works are printed at the back of each works order which will be signed by both parties once a tenant agrees to place his/her order.

Upon completion of the decoration works, the Department will collect tenants' views and assess the contractors' performance under a point system. Estate staff will handle complaints against ADCs to facilitate prompt follow-up actions.

Furthermore, estate staff will maintain close contact with local Police Stations during intake of new estates and will request more police patrols in these estates in a bid to curb crime and triad activities.

The ADC System is under review. A Trial Scheme of using Recommended Decoration Contractor (RDC) System instead of ADC System has been implemented for all new estates completed in or after December 2004 under which the PRH tenants are free to appoint either the RDC or any other contractors in the open market, or to carry out the decoration works by themselves.

Section B

Chapter 14: Clothes-drying Facilities of Estates

Most public housing units are provided with indoor laundry racks. Linear blocks are even provided with clothes drying cum burglary bars facilities.

Apart from these, "pole-socket" type clothes-drying facilities are also erected on the external walls of most public housing blocks. Tenants may use poles of a length not more than 2m, or install one of the following approved types of clothes-drying facilities at their own expenses -

- aluminium laundry rack with cord pulleys;
- movable drying pole with hooks;
- bamboo pole with a retractable cord;
- semi-circular tube circuits clothes rack;
- rail-type drying rack;
- retractable laundry rack; and
- sliding clothes rack.

Besides, tenants may apply to install parallel or perpendicular laundry rack with cord pulleys to replace the conventional "pole-socket" laundry facility, under the Laundry Racks Subsidy Scheme. Tenants may approach their respective Estate Management Office/Property Management Office/Property Services Management Office for details of the scheme.

New rental flats completed after mid-2004 to 2010 are installed with these parallel or perpendicular laundry racks on external facade, as a big step forward of the Housing Authority in facility improvement. New rental flats completed after 2010 will be installed with the parallel rods laundry rack on external facade as an enhancement to meet tenants' expectation.

Tenants of Harmony blocks, New Cruciform blocks and Non-standard blocks completed after 2003 may apply to install laundry rod or nylon rope at the external walls outside the living room. Such installations shall comply with all applicable guidelines and specifications issued by the Housing Authority and the requirements of Building (Minor Works) Regulation, to be carried out by Prescribed Registered Contractors. Tenants are responsible for the safe installation, as well as proper maintenance of the laundry rod or nylon rope installed during their terms of tenancy.

To show care for the elderly, the Housing Authority will provide households with all members aged 60 or above with aluminium laundry racks free of charge. Besides, laundry rooms for washing and drying clothes are also provided in Housing for Senior Citizens situated in Small Household Blocks and Ancillary Facilities Blocks.

Section B

Chapter 15: Security Service and Installations

A full standard system compiles of the security gates at block entrances and staircase exits; doorphone system; closed circuit television (CCTV) inside lift cars and at main entrances for most of the domestic blocks of the Housing Department (HD) have been provided. Security counter with 24-hour tower guard on service is provided at ground floor lobby for control and monitor activities inside the lifts. The CCTV is connected to the security control room where supervisory guards are on duty 24 hours. It aims to monitor the security condition for various blocks of the estates, and provide necessary support in case of need. Tenants can communicate with the visitors through the doorphone system and able to view their appearance through the visitor panel, and to watch their activities inside lift car through their television sets at home.

With a small amount of remaining blocks other than a full standard system, a CCTV system inside the lift car are also connected to the security control room, from which tenants can watch the activities inside lift car through either television sets at home or through a monitor at the main lobby. Besides, electronic patrol monitoring systems have been installed in these blocks and guards will patrol each floor and the surroundings of the blocks at night. HD has completed the said overall security system on 31 March 2004. If the residents/EMAC have ever previously suspended the project, however if they change their mind to request for the installation works again, HD will consider their requests separately.

Section B

Chapter 16: The Use of Roads and Parking Facilities of Public Housing Estates

Parking Facilities

Under the Housing Ordinance, the Hong Kong Housing Authority (HA) is empowered to designate certain roads in public housing estates as restricted roads, to provide parking areas, to fix and to collect parking fees. Car parks in public housing estates are provided in accordance with the Hong Kong Planning Standards and Guidelines and their provision is reviewed by the Housing Department regularly. Apart from monthly car parks, the HA also provides hourly ones for shoppers and visitors.

Enforcement Measures against Illegal Parking

Illegal parking may cause inconvenience to the residents. It may lead to traffic congestion, blocking passages for refuse collection vehicles, fire engines, ambulances, etc., which may impede the saving of lives and properties in case of emergency.

To strengthen the enforcement measure against illegal parking on its properties, the HA started to implement, with effect from 1 June 1994, the Housing Fixed Penalty Ticket (HFPT) System which is similar to that being enforced by the Hong Kong Police Force. Under the system, housing staff are delegated with the power to issue fixed penalty tickets against illegal parking of motor vehicles on restricted roads of HA estates in accordance with the provision set out in Housing (Traffic Contraventions) (Fixed Penalty) Bylaw (Cap. 283 sub. leg.C).

Notwithstanding the implementation of the HFPT System, other enforcement measures such as impounding, towing of offending vehicles on restricted roads, as appropriate, may still be exercised by the housing staff or by the employees of car park operators or Property Management Agents under delegated authority.

Section B

Chapter 17: Emergency Alarm System

Emergency Alarm System (EAS)

The HA has installed two types of EAS for elderly tenants living in its public housing estates -

1. EAS installed in Housing for Senior Citizens (HSC) units

EAS with panic alarm buttons is provided in each HSC unit, which is connected to the wardens' office and their quarters. In case of emergencies, the elderly may press one of these buttons to call the warden for assistance.

2. EAS installed in other public housing units

Since 1991, the HA had installed the EAS for elderly tenants who were receiving Comprehensive Social Security Assistance (CSSA) and living alone in estates where the Estate Social Service for the Elderly Scheme had once been introduced. However, as this type of EAS was not connected to a central control centre, its functioning relied heavily on the support of the neighbours and it only offered limited assistance to the elderly in distress, the installation of such was therefore suspended in April 1996.

Grant for Emergency Alarm System (EAS Grant)

In May 1996, the Social Welfare Department (SWD) introduced the "Special Grant for Emergency Alarm System" whereby elderly CSSA recipients who have met the eligibility criteria stipulated by the SWD can obtain a special grant, on a reimbursement basis, to acquire any EAS service on the market to meet their needs.

To cater for the need of those elderly who are in need of EAS but do not qualify for, or are not currently receiving CSSA, the HA has, since September 1996, provided them with an EAS Grant to enable them to purchase any EAS on the market to meet their needs. To qualify for the EAS Grant, elderly tenants must meet the following criteria -

1. not receiving CSSA;
2. living alone or in household with all members aged 60 or above; and

3. satisfying one of the following conditions which took effect from 2 March 2000 -

- a. if aged 65 or over, having an income and asset not exceeding the prescribed limits detailed below; or
- b. if aged 60-64, having an income and asset not exceeding the prescribed limits detailed below and are certified by a public medical officer to be more than 50% disabled or suffering from such medical conditions which could develop life threatening conditions as to require immediate attention (medical certification for those receiving disability allowance from SWD for being 100% disabled or in need of constant attendance is not necessary).

The income and asset limits are based on the prevailing financial eligibility limits for the Normal Old Age Allowance administered by the SWD, which are -

	Monthly Income Limits	Asset Limits
Single Person	\$6,450	\$177,000
Married Couple	\$10,110	\$267,000

The EAS Grant is given to eligible elderly on a reimbursement basis for a one-off installation cost up to a maximum of \$2,500.

Subject to meeting the prevailing eligibility criteria, elderly persons living either alone or in household with all elderly members in interim housing and Rent Allowance for Elderly Scheme recipients are also offered the EAS Grant from 2 March 2000 and October 2001 respectively.

Section B

Chapter 18: Services for People with a Disability

Allocation and Conversion

In allocating public housing flats, the Housing Department (HD) will take into consideration the need of persons with disabilities (PWDs) or chronic diseases and provide them with appropriate ancillary facilities. For the convenience of wheelchair-bound persons, HD will offer them flats on floors accessible by lifts, widen the doorway and provide a ramp for them as far as practicable. If a flat has to be converted to cater for the needs of disabled individuals, HD will undertake the full cost incurred. Conversion works include conversion of bath tub into shower area, installation of grab rails in the bathroom and raising the floor slab of the balcony to make it level with that of the living room, etc.

Transfer

In cases where conversion to an existing flat is not feasible due to physical constraints, a disabled person may apply for transfer to a flat in the same or another estate together with his/her family. HD will consider such applications on individual merits and make appropriate arrangements.

50% Concessionary Discount on Monthly and Hourly Parking Fees

Private car and motor cycle owners with disabilities living or working in the public housing estates may enjoy a 50% concessionary discount on monthly parking fees at car parks of the Housing Authority (HA) if they have obtained an approval letter from the Commissioner for Transport and a valid Disabled Person's Parking Permit issued by the Transport Department, while private car and motor cycle drivers may enjoy a 50% concessionary discount on hourly parking fees if they are holders of the Disabled Person's Parking Permit.

Flashing-light Doorbells

When necessary, hearing-impaired persons may apply to HD for the free installation of a flashing-light doorbell for their ease of answering the door.

Service Dog

Keeping of dogs inside leased premises without the prior written consent of the HA is prohibited. Normally, for the keeping of service dogs by tenants with visual or audio disabilities, the HA will consider giving conditional permission.

In-flat Repair Works

In case of the need to carry out repairs to in-flat items that should be handled by tenants on their own, households having family members with disabilities may approach HD for the arrangement of such repair works at their own cost.

Estate Improvement Works

Public housing estates are designed to provide, as far as possible, a barrier-free living environment to facilitate the PWDs in accessing the services and facilities that the estates provide. HD will carry out various improvement works in existing estates as far as practicable with a view to meeting prevailing requirements on barrier free access provisions.

Assistance Provided in Case of Emergency

Households having family members with disabilities or chronic diseases or in need of special care, such as those who are mobility handicapped (wheelchair-bound), visually impaired or hearing impaired, those who need to undergo renal dialysis at home or need the aid of oxygen breathing apparatus and those implanted with a cardiac pacemaker, may provide their emergency telephone contacts and other relevant information to the staff of the estate offices by telephone or in person. To address the special needs or requests of individual households, the staff of the estate offices will provide suitable assistance to them as far as possible, e.g. to inform the households direct in case of emergencies such as fire, theft, bursting of pipes and suspension of water or electricity supply or lift service.

Others

Households having family members with disabilities or chronic diseases may approach the Social Welfare Department direct or through the respective estate offices for other support services such as home help, rehabilitation and counselling services.

Section B

Chapter 19: Housing Arrangements for Tenants Affected by Estate Clearance

It is not the policy of the Housing Authority to rehouse affected households within the same district of the cleared estate under the Estate Clearance Projects. Instead, affected households may apply to move to Public Rental Housing (PRH) flats in any district of their choice subject to availability of suitable vacant flats.

For the estate clearance projects including So Uk Estate Phase 1 and 2 and Interim Housing, Block 12, Kwai Shing East Estate, affected households who choose to be rehoused in a PRH flat not provided with metal gateset at flat entrance are eligible for an ex-gratia allowance which is set at \$2,500.

All affected households are eligible for payment of Domestic Removal Allowance upon vacating from existing occupied flats.

Single persons affected by Estate Clearance are eligible for one of the followings -

- rehousing to a single person flat with priority accorded to elderly and disabled households; or
- rehousing to a unit in the Housing for Senior Citizens; or
- rehousing to a vacated flat with living area not more than 19.8m²; or
- payment of a Cash Allowance* of \$37,330 for a single person household in lieu of rehousing.

Two-person households affected by Estate Clearance are eligible for one of the followings -

- rehousing to a two-person flat with priority accorded to elderly and disabled households; or
- rehousing to a unit in the Housing for Senior Citizens; or
- rehousing to a vacated flat with living area of not more than 31m²; or
- payment of a Cash Allowance* of \$48,310 for a two-person household in lieu of rehousing.

Single person and two-person households who opted for cash allowance in lieu of rehousing are also eligible for Domestic Removal Allowance but they will be debarred from further payments of the allowance and allocation of any form of public housing for two years.

Apart from the choice of moving to PRH flats, affected households who wish to purchase a Home Ownership Scheme (HOS) flat will be accorded priority upon the resumption of sale of surplus HOS flats launched in early 2007.

Note : *The policy of payment of Cash Allowance for single person or two-person households in lieu of rehousing is subject to review.

Section B

Chapter 20: Estate Management Advisory Committee

Since its implementation on 1 April 1995, the Estate Management Advisory Committee (EMAC) Scheme has been extended to almost all public rental housing estates.

The objective of the scheme is to further devolve the participation in estate management to local level, and to enhance communication with tenants on estate management matters. It also aims to increase tenants' participation in, and their understanding of estate management matters, and to strengthen tenants' sense of belonging to and collective responsibility for the well-being of the estate community.

Each EMAC is normally chaired by the estate Housing Manager whilst membership comprises the chairman or elected representative from each Mutual Aid Committee in the estate, elected District Council Member(s) whose constituency covers the estate and the appointed District Council Member from the local Area Committee and the chairman or elected representative from Housing Authority commercial tenants' association, if any. Representatives from other Sections/Government Departments and service contractors are also invited to attend EMAC meetings on need basis. The Property Service Manager of Housing Department will be the Chairman in estates managed by Property Services Agents(PSA). Representatives of the PSA companies will attend the meetings regularly to act as coordinators for both management and works matters.

Through periodical meetings, EMAC members can advise the estate Housing Manager or Property Service Manager on local estate management matters, providing input on priorities of maintenance and improvement works within the estate and proposals relating to security, orderliness and cleanliness, control over roads and car parks, noise and amenities in the estate. Besides, EMAC members are involved in the drawing up of estate action plan in respect of estate management and maintenance matters and appraising the performance of contractors who provide services in the estate and their views will be taken into account in contract extensions or renewals.

Funds allocated to the EMACs can be used on local minor improvement works, betterment of building management, environmental improvement as well as estate activities organized with a view to enhancing tenants' understanding of housing policies/services and encouraging tenants' participation in estate management matters.

To further promote community building and neighbourliness, the Housing Authority approved in July 2009 to invite NGOs to organize partnering functions with EMAC. Each EMAC is allowed to use 30% of the EMAC Funds to organize the partnering activities

Section B

Chapter 21: Marking Scheme for Estate Management Enforcement in Public Housing Estates

To improve environmental hygiene in public housing estates (including public rental housing (PRH) and Interim Housing (IH)), the Housing Department (HD) has implemented the Marking Scheme for Tenancy Enforcement in Public Housing Estates (Marking Scheme) since 1 August 2003. The Marking Scheme was renamed to Marking Scheme for Estate Management Enforcement in Public Housing Estates on 18 October 2006, to include misdeeds involving civic responsibility and execution of tenancy condition, to signify its wider use for more effective estate management.

It has been a leasing condition that public housing tenants should keep the leased premises and the estate environment clean and hygienic. On 29 May 2003, the Subsidised Housing Committee of the Housing Authority (HA) endorsed to strengthen tenancy enforcement action against hygienic misdeeds through the implementation of a marking scheme for tenancy enforcement in public housing. Households that committed misdeeds will be allotted 3 to 15 points in accordance to the degree of misdeeds' seriousness. When 16 points have been recorded within two years, the tenancy/license will be liable to termination.

Misdeeds under the Marking Scheme

Starting from 1 January 2009, there are 28 misdeed items under the Marking Scheme, they are grouped under Category A, B, C and D. Households who committed misdeeds will be allotted 3 to 15 points in accordance to the degree of misdeeds' seriousness. When 16 points have been recorded within two years, the tenancy/licence will be terminated.

Items in Category A are minor misdeeds and each of them will carry 3 points. Items in Categories B and C are more serious ones and each will carry 5 and 7 points respectively. Item in Category D is the most serious one and will carry 15 points.

Any points allotted under the Marking Scheme will be valid for a period of two years from the day the material misdeed is committed. Change of household head or deletion of household member(s) during the two-year period will not lead to early cancellation of the points allotted. For cases where transfer is arranged due to redevelopment etc, the points accrued to the original tenancy will be carried forward to the new tenancy. When households residing in IH move to PRH (e.g. through the General Waiting List), the points accrued in their IH flats will be carried forward to the PRH flats. The points that have become invalid through lapse of time will be deducted from the household's total score.

Effects of points-allotment on household

The tenant and adult family members will be notified of any points allotted and reminded to take immediate action to relinquish the bad habits.

Except households affected by involuntary transfers (such as redevelopment), any household carrying points accumulated under the Marking Scheme will be barred from applying for alternative accommodation, better / larger or otherwise, through external or internal transfer.

Once a household has accumulated 10 points (or less than 10 but with 3 points-allotments), it will receive a warning letter from the HD. This warning letter will detail the points allotted and remind the tenant of the possible consequence if more points are allotted. The warning letter will also be copied to all adult members of the household. Besides, a manager grade HD staff will meet the tenant and the person(s) who committed the misdeeds to advise them that no further misdeeds should be committed, lest more points will be allotted.

When 16 valid points have been accrued, the subject tenancy will be liable to termination by the service of notice-to-quit (NTQ) in pursuant to Section 19(1)(b) of the Housing Ordinance. The tenant may lodge an appeal against the NTQ to the Appeal Panel (Housing).

Upon termination of tenancy, the household will be required to vacate the public housing flat. For those who may become genuinely homeless, offer of IH in the New Territories may be arranged provided that the household can meet all prevailing eligibility criteria.

Any points not counted for the service of NTQ will be carried forward to the new tenancy/licence if the household remains in residence in public housing (e.g. moving from PRH to IH in the New Territories).

With effect from 1 January 2006, for ex-tenants with tenancies terminated by the HA due to Marking Scheme or Tenancy Breach, their applications for PRH through the General Waiting List will be barred for two years, counting from the day after date of termination of tenancy. The HD will not offer a flat of better quality (in respect of geographical locality, age of building and floor level) to them upon rehousing.

Details of misdeeds covered by the Marking Scheme and their implementation

Misdeeds where warnings will be given before allotment of points (w.e.f. 1 January 2009)

To encourage timely rectification, the Warning System (1 written warning) is applicable to some of these misdeeds. The tenant will be subsequently allotted points if he/she repeats the misdeed despite warning. The 12 misdeed items where warnings will be given are listed as follows:

Misdeeds where warnings will be given before allotment of points	Points
Drying clothes in public areas (except in areas designated by the Housing Department)	3
Utilizing Laundry pole-holders for drying floor mop	3
Putting dripping flower pots or dripping laundry at balconies	3
Dripping oil from exhaust fan	3
Obstructing corridors or stairs with sundry items rendering cleansing difficult	5
Causing mosquito breeding by accumulating stagnant water	5
Causing noise nuisance (Note 1)	5
Water dripping from air-conditioner (Note 2)	5
Denying the Housing Department (HD) staff or staff representing the HD entry for repairs responsible by HD (Note 3)	7
Refusing repair of leaking pipes or sanitary fittings responsible by the tenant	7
Damaging down / sewage pipes causing leakage to the flat below	7
Accumulating a large quantity of refuse or waste inside leased premises, creating offensive smell and hygienic nuisance	7

Misdeeds where points will be allotted immediately (w.e.f. 1 January 2009)

Tenants who conduct misdeeds seriously affecting estate hygiene, e.g. spitting in public areas or smoking in the statutory no smoking areas will be severely dealt with. HD staff will immediately prosecute and allot points to the subject person. For throwing objects from height that may cause serious danger or personal injury, HD will even terminate the tenancy. The 16 misdeed items where immediate points-allotment will be made are listed as follows:

Misdeeds where points will be allotted immediately	Points
Littering	5
Disposing of domestic refuse indiscriminately, such as improper disposal in lift lobbies or inside bins without cover	5
Keeping animal, bird or livestock inside leased premises without prior written consent of the Landlord (Note 4)	5
Allowing animal and livestock under charge to foul public places with faeces	5
Boiling wax in public areas	5
Smoking or carrying a lighted cigarette in estate common area (Note 5)	5
Illegal gambling in public places	5

Throwing objects from heights that jeopardize environmental hygiene	7
Spitting in public areas	7
Urinating and defecating in public places	7
Dumping or disposing of decoration debris indiscriminately at refuse collection points, within building or in other public areas	7
Using leased premises as food factory or storage	7
Illegal hawking of cooked food	7
Damaging or stealing Housing Authority's property	7
Using leased premises for illegal purpose	7
Throwing objects from height that may cause danger or personal injury (Note 6)	15

Note 1: Apart from related enforcement action under the Marking Scheme, Noise Control Ordinance also provides legislative control over noise at any time. Tenant in breach of relevant provision inside his/her flat will be allotted points upon conviction. In that case, the Warning System will not be applicable.

Note 2: For blocks with A/C drain-pipes provided or otherwise not required, this points-allotted misdeed is implemented from 1.1.2009 while for blocks pending A/C drain-pipes installation, the misdeed will then be implemented from two months after the completion of the installation work.

Note 3: Repair items may include internal fixtures and fittings, drains and pipes and structural members such as ceiling, walls and floors, etc. This misdeed also covers those cases where the tenant has denied the entry of HD staff or its representative to conduct inspection for repairs.

Note 4: The Subsidised Housing Committee of the HA endorsed at its meeting on 25 September 2003 to uphold the ban on dogs in public housing estates while to grant a general permission for the keeping of small household pets (including desexed cats but excluding pigeons) that do not pose any health hazard and cause any nuisance. Wild lives/exotic animals/domesticated farm animals are strictly prohibited.

HD has adopted the Temporary Permission Rule to handle dogs actually kept in public housing before implementation of the Marking Scheme. According to the Temporary Permission Rule, permission may be given upon application for tenants to continue keeping those small dogs (i.e. less than 20 kg in weight) that have been kept in the premises before 1 August 2003 subject to meeting a set of strict rules and conditions laid down by the HD. This is a one-off measure. Concerned tenants submitted the application for continual dog-keeping to respective management office on or before 31 October 2003. Tenants who are granted the permission should strictly comply with the prescribed rules for dog keeping. The permission will be

withdrawn if there are two substantiated incidents of creating nuisance/breaking the rules.

With effect from 1 November 2003, tenants who keep prohibited dog(s) or animal(s) inside leased premises without prior written consent of the Landlord will be allotted penalty points under the Marking Scheme.

Note 5: 'estate common area' means any place within the estate boundary to which the public have access and includes common areas of domestic buildings, estate rest gardens, pleasure grounds, pedestrian walkways, estate roads, etc.

To cater for the need of tenant-smokers, smoking areas will be designated. These areas should be away from leisure and sporting facilities or main thoroughfare to minimize the exposure of tenants to second hand smoking. Yellow/white lines, with 'Smoking Area' written thereon, will be painted around the smoking areas. The locations of these smoking areas will be well-publicized on estate level. Subject to local Estate Management Advisory Committee's consent, the location, size and number of smoking areas may be changed.

Note 6: For households that have thrown objects from height that may cause serious danger or personal injury, HD will terminate subject tenancies by the issue of notices-to-quit in pursuance of Section 19(1)(b) of the Housing Ordinance.

Enquiry

This website provide general information for reference purpose only. For details, please contact the concerned estate office.

Section B

Chapter 22 : Letting of Commercial Premises by Open Tender

Eligibility of Tenderer

1. Tenderers, if in the individual capacity, must be 18 years of age or over.
2. Tenderers, if in the capacity of a corporation, must be a limited company.
3. If any person who signs as tenderer does so as an agent or a trustee for any other person or persons, he shall disclose in his Tender Form the names and addresses of such person or persons. If no such disclosure is made, the person signing the Tender Form shall be deemed to be a principal and no subsequent disclosure of any trust, agencies, etc. will be recognized by Hong Kong Housing Authority.

Ways of Submitting the Tender Form

1. Tenders are invited weekly (every Friday) through newspaper advertisements for leasing of new commercial premises and vacant commercial premises surrendered to Hong Kong Housing Authority. Details of the commercial premises, including location, area and designated trade and reference rent are publicized.
2. Prospective tenderers may obtain Tender Forms and Conditions of Tender at the reception counter of the Commercial Properties Management Unit at Podium Level 1, Hong Kong Housing Authority Customer Service Centre, 3 Wang Tau Hom South Road, Kowloon and at the estate/shopping centre offices concerned. Prospective tenderer may also download the respective Tender Forms and Conditions of Tender at Housing Department Home Page: www.housingauthority.gov.hk.
3. To ensure confidentiality, tenderers are reminded to seal their Tender Forms together with cheque or cashier's order as payment of tender deposit in envelope. All completed Tender Forms must be deposited in the Tender Box of the Commercial Properties Management Unit, Housing Department located at Podium Level 1, Hong Kong Housing Authority Customer Service Centre, 3 Wang Tau Hom South Road, Kowloon before the closing time and date specified in the Conditions of Tender.
4. Tenderers are reminded to note the specified closing time and date for submission of tenders. Submission after the specified closing time and date will

not be considered. Hong Kong Housing Authority will not be responsible for any mislaid tenders submitted by methods otherwise.

5. The closing time and date will automatically be deferred to 10:00 a.m. on the following Monday or the next earliest possible working day of the following week in the following circumstances:
 - a. if Tropical Cyclone Warning Signal No. 8 or above is hoisted before and remains hoisted beyond the closing time;
 - b. if a "Black" Rainstorm Warning is announced before and remains in force beyond the closing time.

However, the closing time and date will remain unchanged if Tropical Cyclone Warning Signal No.8 or above or the "Black" Rainstorm Warning is lowered or withdrawn two hours or more before the closing time.

Basic Leasing Terms and Conditions

1. All tenancies are normally granted on a fixed term of 3 years without an option to renew. However, terms other than the normal 3 years may also be considered. In cases of commercial premises with special trades such as bank and large premises with an area over 250m² operating special fields such as restaurants, supermarkets etc., a fixed term of 6 years without an option to renew is preferred.
2. Tenders will only be accepted from tenderers who will occupy the premises for their own use and no assignment, sub-letting or parting with the possession of the premises or any part thereof will be permitted without the prior written approval from Hong Kong Housing Authority.
3.
 - a. Subject to the conditions set out in 3(b), the tenant will have a rent-free period. The period may range from 1 month to 3 months according to the followings:

Size of Premises	Rent-free Period
Less than 100m ²	One month
Between 100m ² - 250m ²	Two months
Larger than 250m ²	Three months

- b. The rent-free period is to be granted subject to:-
 - i no breach of any terms and conditions of the tenancy agreement; and
 - ii no termination of the tenancy by the tenant

during the period of 6 months from the commencement of the tenancy (the "Period"). If at any time during the Period there is any breach of the terms of the tenancy and the tenancy is terminated by the Housing Authority in consequence of such breach or if the tenancy is terminated by the tenant prior to the expiration of the Period, without prejudice to any other rights of the Housing Authority under the tenancy agreement, the tenant shall forthwith pay to the Housing Authority the rent for the period as set out in 3(a) above.

4. Shops/Shopstalls which have remained vacant for a considerable period and failed to be let out at least thrice in open rental tendering exercises will be offered an extra rent free period. The offer of the rent free period depends on the vacancy period of the shops/shopstalls :-
 - a. 2 extra months for shops/shopstalls with a consecutive vacancy period between 2 years and 3 years. The 2 extra months' rent free will be granted in the 6th and 12th months of the term of the tenancy;
 - b. 4 extra months for shops/shopstalls with a consecutive vacancy period over 3 years and up to 4 years. The 4 extra months' rent free will be granted in the 6th , 12th , 18th and 24th months of the term of the tenancy; and
 - c. 6 extra months for shops/shopstalls with a consecutive vacancy period over 4 years. The 6 extra months' rent free will be granted in the 6th , 12th , 18th , 24th , 30th and 36th months of the term of the tenancy.

If the tenancy created is terminated in whatsoever manner prior to its expiration, the above extra rent free shall be invalidated following the termination of the tenancy. Tenants shall not be entitled to any remaining part of the extra rent free after the tenancy is terminated and shall have no right whatsoever to claim compensation in any form from Housing Authority.

5. Tenderers should note that under the Tenancy Agreement, if the rent, air-conditioning charge or any part thereof shall be unpaid for fourteen days after the same shall become payable (whether formally demanded or not) or if the rates or any part thereof shall be unpaid for fourteen days after the same shall become payable the tenant shall further pay to HA interest at the rate of 2% per month on the amount of rent, air-conditioning charges, rates in arrears and such interest shall be payable and calculated from the date upon which such payment in arrears fell due and not fourteen days thereafter. For the avoidance of doubt, the day on which the rent, air-conditioning charge, rates or any part thereof shall become payable is included in the reckoning of the said period of fourteen days.
6. The attention of tenderers is drawn to the fact that whenever the tenancy is terminated for whatever reasons, the tenant is required to deliver up vacant possession of the premises to Hong Kong Housing Authority unconditionally, and shall not be entitled to any claim for compensation. Hong Kong Housing

Authority shall have the full right to relet the premises or otherwise dispose of the premises in such manner and to such person as it may think fit, free from the interference of any person.

7. Tenderers should note that the granting of a commercial tenancy does not confer upon the tenant any exclusive right to any particular trade in the estate/shopping centre concerned, and that Hong Kong Housing Authority reserves the right to let other premises in the estate/shopping centre concerned in whatever manner for the same trade according to the needs as assessed by Hong Kong Housing Authority. Change of user of the premises during the term of the tenancy shall not be permitted without the written consent of Hong Kong Housing Authority.
8. Tenderers should note that under the terms of the Tenancy Agreement, the Housing Authority shall be entitled to transfer and assign the reversion of the premises and all the rights and obligations under the Tenancy Agreement to any third party on such terms and conditions as the Housing Authority shall think fit without any interference or any claim or demand for compensation whatsoever by the Tenant.

The General Requirements for Fitting-out

1. Tenderers are advised to note the maximum electricity loading available to the premises. Should additional loading beyond the designed capacity be required, the expenses incurred in upgrading, plus on-cost as supervision charge, will be wholly borne by the prospective tenant, provided that the upgrading is approved by the Housing Department. The on-cost rate for works with estimated works value below \$500,000.00 is 20%. For estimated works value \$500,000.00 or above, the on-cost rate is 25.4% or the individual costing for the on-cost upon confirmation with the prospective tenant.
2. The prospective tenant shall accept the premises in the state and condition in which they are found at the date when possession is given and shall be responsible for the fitting-out of the premises to meet the requirements of Hong Kong Housing Authority and other competent authorities. All modifications to the building services installations, subject to agreement of the Housing Department, must be carried out by contractors appointed by the Housing Department. The expenses incurred in all modifications, plus on-cost as supervision charge, will be wholly borne by the prospective tenant. The on-cost rate for works with estimated works value below \$500,000.00 is 20%. For estimated works value \$500,000.00 or above, the on-cost rate is 25.4% or the individual costing for the on-cost upon confirmation with the prospective tenant.

3. The prospective tenant is required to submit plans for the intended conversion to the Housing Department and no conversion work shall be started until written approval is obtained from the Housing Department.
4. The prospective tenant will be allowed to install his own air-conditioning system on the premises if no central air-conditioning is provided but installation of air-conditioning plant and routing of pipe/duct are subject to prior approval from the Housing Department. Besides, properly connected drainage for condensation should be provided where air-conditioning units are used.
5. No installation likely to cause disturbance to persons and properties, (e.g. exhaust fans, fume-extractors, etc.) will be permitted without prior approval from the Housing Department.
6. No alteration to shop front is permitted unless approval has been obtained from the Housing Department.
7. Installation of signage outside the premises is allowed only at designated locations. The location, layout, lettering and colour scheme of the proposed signs are to be approved by the Housing Department.
8. A pre-letting meeting can be arranged upon request to answer questions from prospective tenants before submission of fitting-out plans. A guideline has been developed to help the prospective tenants to identify what types of fitting-out works would require submission to Independent Checking Unit and licensing authority. Respective Shopping Centre Manager will provide the guideline to the prospective tenants before they submit their applications. For complicated submission, a case conference can be arranged with the tenant to collate input from the different disciplines simultaneously.
9. We will vet from Landlord's role and approve the applications for fitting-out works by 3 classes according to complexity as below.

Class 1 : Simple case : No alteration of BS installations, structure, waterproofing, drainage, compartmentation, outlook of the building.

To be completed within 10 calendar days including Saturdays, Sundays and public holidays.

Class 2 : Normal case : Considerable amount of building works, relocation of internal partitions, forming of openings in floor or wall.

To be completed within 20 calendar days including Saturdays, Sundays and public holidays.

Class 3 : Complicated case : Involved major building works, additional floor or wall, installation of heavy machine or equipment.

To be completed within 30 calendar days including Saturdays, Sundays and public holidays.

Note: Time count will stop when reminder to call for supplementary information is sent out to tenant and resumes when full set of required information is received.

Normal Leasing Procedures through Open Tender

1. Tenderers will be notified in writing the result of their tenders as soon as a decision is made by Hong Kong Housing Authority.
2. A tenderer may be called upon to attend selection interviews and if eligible be required to execute a Tenancy Agreement. The terms of the Tenancy Agreement shall be those as contained in the standard Tenancy Agreement normally applicable to lettings under Hong Kong Housing Authority's management (a copy of the standard Tenancy Agreement is available for inspection by the tenderer at Hong Kong Housing Authority's office at Commercial Properties Management Unit of the Estate Management Division, Housing Department at Podium Level 1, Hong Kong Housing Authority Customer Service Centre, 3 Wang Tau Hom South Road, Kowloon and the tenderer is deemed to have made himself thoroughly conversant with such terms prior to submission of the tender). The tenderer shall attend the interviews or execute the Tenancy Agreement whichever is applicable within the time specified in a written notice issued by the Hong Kong Housing Authority or such person as authorized by the Hong Kong Housing Authority, which time shall be not less than seven days from the date of the notice. The tenancy shall commence and rent shall be payable from the date of the execution of the Tenancy Agreement. In the event the tenderer fails for whatever reasons to attend the interviews or to execute the Tenancy Agreement within the time specified, Hong Kong Housing Authority may by notice in writing to the tenderer forthwith cancel the tender and the letting of the premises to the tenderer hereunder. Upon the cancellation of the tender and the letting of the premises as aforesaid the entire deposit shall forthwith be absolutely forfeited to Hong Kong Housing Authority as liquidated damages and not as a penalty without any further notice and Hong Kong Housing Authority may let the premises to such other person and/or deal with the premises in such manner as Hong Kong Housing Authority shall consider appropriate, and the tenderer shall not have any claim whatever for compensation or refund of the deposit or in respect of the premises or otherwise against Hong Kong Housing Authority.

3. On signing the Tenancy Agreement, in addition to the payment of the tendered rent for the first month, the successful tenderer shall be required to pay a deposit equivalent to two months' average tendered rent of the tenancy term, either in cash or bank guarantee or a combination of either, to Hong Kong Housing Authority. Provided that there shall be no outstanding rent, and/or rates, air-conditioning charge, if any, or other breaches of the Tenancy Agreement, deposit in full without any interest thereon, shall be refunded on termination of the tenancy while bank guarantee shall be released to the Tenant.
4. Hong Kong Housing Authority will give prior written notice to the successful tenderer to take possession of the leased premises. The date of commencement of the tenancy shall be the date on which possession of the leased premises is given.

Special Rules and Regulations

1. Hong Kong Housing Authority does not bind itself to accept any tender.
2. Tenderers are reminded that if manipulation of Hong Kong Housing Authority's tender system is discovered, and such has been proved to the satisfaction of the Director of Housing, then the said Director can at his discretion reject the tenders from such tenderers. The decision by the Director of Housing as to whether the tender system has been manipulated and as to whether the tenderers are involved in the manipulation is final.
3. No charge is made on the supply of the Tender Form and for the processing of tenders. Reports should be made to the appropriate authority immediately for any person purporting to offer assistance in respect of the tenders in return for a reward.
4. Any tenderer who attempts to influence consideration of his or her tender by approaching any member of the staff of the Department or by the use of any other improper means shall render his or her tender invalid.
5. Tenderers are warned that offering or giving any gratuity, money or gift as an inducement to any employee of the Housing Department in relation to the tender constitutes an offence under the Prevention of Bribery Ordinance and such cases will be reported to the Independent Commission Against Corruption.
6. To ensure the confidentiality of all tenders, tenderers must submit their tenders by the method as mentioned in paragraph II.3. Hong Kong Housing Authority holds no responsibility for the confidentiality of any tenders submitted by methods otherwise.

Section B

Chapter 23 : Letting of Commercial Premises by Direct Negotiation

Guidelines for Letting by Negotiation

1. Shops in Hong Kong Housing Authority Shopping Centres are let by tender and by negotiation. Typically around 30% of premises in new centres are let by negotiation. Letting by negotiation may be considered in the following circumstances:-
 - a. where the amount of space to be leased exceeds 250m² and (for non-factory premises) where the type of trade can attract more customers to the shopping centre, or can provide a desirable facility for residents; or
 - b. where the vacant premises concerned have failed to attract suitable bidders in at least one open tender exercise; or
 - c. where an attraction is offered by the brand name under which the premises are to be operated, or by the tenant's ability to develop his business through substantial promotional activities, which will enhance the trading potential of the shopping centre; or
 - d. where a sitting tenant has demonstrated his capability for expansion of his business, as indicated by-
 - i. the tenant currently operating a minimum of three outlets under the same trade name with a total area of not less than 250m²; and
 - ii. the tenant having a clear tenancy record in the last three years e.g. without rent arrears, shop-front obstruction or encroachment, complaints from residents etc.; and
 - iii. the tenant's existing operation or product providing a service which will meet the demands of estate residents; and
 - iv. the standard of fitting-out and shop display of the tenant's existing outlets being of high standard.
 - e. where an individual or company has demonstrated adequate financial resources and management capability in non-retail sectors to demonstrate capability for successful management of a retail outlet, by having-
 - i. a minimum of 5 years successful operation of a business; and
 - ii. employment of not less than 10 staff, and
 - iii. personal involvement in a managerial capacity, and
 - iv. financial resources adequate to sustain a retail operation of the size proposed, i.e. to cover:

- payment of deposit
- fitting out and decoration costs
- overheads including rent for six months

2. Expansion of Existing Leased Area

Under negotiation procedures, expansion of an existing leased area may be considered subject to rent adjustment and -

- a. the additional area adjoining or being adjacent to the existing premises so as both parts can be operated as a single unit; and
- b. the trade previously operated in the premises for expansion, if still viable, is operated elsewhere in the centre; and
- c. the tenant has a clean tenancy record for the past three years, and has an acceptable standard of fitting out, shop display and overall operation.
- d. expansion may be considered particularly appropriate where the expansion would assist in overcoming problems in the existing unit, such as lack of frontage or inadequate size for efficient operation; or
- e. the expansion would benefit the operation of the shopping centre as a whole through consolidation of a major anchor, improved pedestrian flow, etc; or
- f. the premises has failed to attract suitable bidders in at least one tender exercise.

3. Voluntary Relocation of Existing Tenant

Under negotiation procedures, relocation of an existing tenant at the tenant's request may be considered subject to rent adjustment and -

- a. if the relocation involves a change of trade in the new premises, the trade previously operated if still viable is provided elsewhere in the estate; and
- b. the tenant has a clean tenancy record for the past three years and has an acceptable standard of fitting out, shop display and overall operation.

Relocation may be considered particularly appropriate where -

- c. the premises vacated on relocation can be readily used for other beneficial purposes; or
- d. the relocation achieves an improved distribution of trades or provide increased convenience to shoppers; or
- e. the premises has failed to attract suitable bidders in at least one tender

exercise.

Notes: In considering proposals for business expansion or voluntary relocation, the potential interest of other tenants in the estate will be evaluated and if appropriate multiple invitations to bid issued.

Eligibility of Client

1. Clients, if in individual capacity, must be 18 years of age or over or in the form of a limited company.
2. If any person who signs as client does so as an agent or a trustee for any other company or companies, he shall disclose in his leasing proposal the names and addresses of such person or persons. If no such disclosure is made, the person signing the leasing proposal shall be deemed to be a principal and no subsequent disclosure of any trust, agencies, etc. will be recognized by Hong Kong Housing Authority.

Ways of Submitting the Leasing Proposal

1. All leasing proposals should contain the following:
 - a. Name of the prospective tenant;
 - b. Proposed trade name;
 - c. Location and size of the premises to be leased;
 - d. Rental offered;
 - e. Duration of term;
 - f. Precise nature of trade;
 - g. Any special conditions such as rent-free period, liability of the landlord, and/or the tenant to meet technical requirements, etc.; and
 - h. A true copy of the Memorandum and Articles of Association of the company, if submitted by a limited company.
2. Clients may propose various patterns of rent payment as follows:
 - a. Fixed monthly rent;
 - b. Fixed monthly rent linked to staged increases at annual, biennial and triennial intervals, etc.;
 - c. Base rent plus a certain percentage of turnover; and
 - d. Base rent or a certain percentage of turnover, whichever is the higher.

In the case of a rent pattern involving turnover as illustrated in sub-paragraphs 2c and 2d above, clients should state in their leasing proposal the anticipated amount of turnover for the first 12 months and subsequent annual growth, in percentage term, throughout the entire term of the prospective tenancy.

3. Clients may also propose various ways to maximize the use of the proposed leased premises subject to meeting the fitting-out requirements as stated in Paragraph V.
4. To ensure confidentiality, clients are reminded to seal their leasing proposals under a pre-addressed envelope as prepared by the Commercial Properties Management Unit. All leasing proposals must be deposited by hand in the Leasing Proposal Collection Box inside the office of Commercial Properties Management Unit located at Podium Level 1, Hong Kong Housing Authority Customer Service Centre, 3 Wang Tau Hom South Road, Kowloon on or before the specified closing time and date.
5. Clients are reminded to note the specified closing time and date for submission of leasing proposals. Submissions after the specified closing time and date will not be considered. Hong Kong Housing Authority will not be responsible for any mislaid leasing proposal.
6. The closing time and date will automatically be deferred to 10:00 a.m. on the following Monday or the next earliest possible working day of the following week in the following circumstances:
 - a. if Tropical Cyclone Warning Signal No. 8 or above is hoisted before and remains hoisted beyond the closing time;
 - b. if a "Black" Rainstorm Warning is announced and remains in force beyond the closing time.

However, the closing time and date will remain unchanged if Tropical Cyclone Warning Signal No. 8 or above or the "Black" Rainstorm Warning is lowered or withdrawn two hours or more before the closing time.

Basic Leasing Terms and Conditions

1. All tenancies are normally granted on a fixed term of 3 years without an option to renew. However, terms other than the normal 3 years may also be considered. In case of large premises, with an area over 250m², a fixed term of 6 years without an option to renew is preferred.
2. Leasing proposals will only be accepted from persons or limited companies who/which will occupy the premises for their own use and no assignment, sub-letting or parting with the possession of the premises or any part thereof will be

permitted without the prior written approval from Hong Kong Housing Authority.

3. a. Subject to the conditions set out in 3(b), the tenant will have a rent-free period. The period may range from 1 month to 3 months according to the followings:

Size of Premises	Rent-free Period
Less than 100m ²	One month
Between 100m ² - 250m ²	Two months
Larger than 250m ²	Three months

- b. The rent-free period is to be granted subject to:-
- no breach of any terms and conditions of the tenancy agreement; and
 - no termination of the tenancy by the tenant

The rent-free period is to be granted subject to:-

- no breach of any terms and conditions of the tenancy agreement; and
- no termination of the tenancy by the tenant

during the period of 6 months from the commencement of the tenancy (the "Period"). If at any time during the Period there is any breach of the terms of the tenancy and the tenancy is terminated by the Housing Authority in consequence of such breach or if the tenancy is terminated by the tenant prior to the expiration of the Period, without prejudice to any other rights of the Housing Authority under the tenancy agreement, the tenant shall forthwith pay to the Housing Authority the rent for the period as set out in 3(a) above.

4. a. Extra rent free period will be granted to all those long-standing vacant shops and shopstalls which had been offered to let unsuccessfully at least thrice through open tender exercise.

Consecutive Vacant Period	Extra Rent Free Period
2 to 3 years	2 months
over 3 years and up to 4 years	4 months
over 4 years	6 months

In order to deter abuse of the concession, the extra rent free period will be granted in stages during the tenancy terms.

- b. If the tenancy is terminated in whatsoever manner before the expiration of the term of the tenancy, any holding over after date of termination will

not be eligible for the extra rent free period unless the Notice of Termination is cancelled by the Appeal Panel.

- c. The following lettings are not eligible for extra rent free:
 - i. letting of shops and shopstalls on short term basis;
 - ii. letting of councilor office;
 - iii. conversion of short term licence to fixed term tenancy;
 - iv. letting of additional area for expansion of existing leased area;
 - v. relocation of shops and shopstalls; and
 - vi. restricted tenders such as tender exercises for tenants affected by redevelopment and market re-ordering, etc.
5. Clients should note that under the Tenancy Agreement, if the rent, air-conditioning charge or any part thereof shall be unpaid for fourteen days after the same shall become payable (whether formally demanded or not) or if the rates or any part thereof shall be unpaid for fourteen days after the same shall become payable the tenant shall further pay to HA interest at the rate of 2% per month on the amount of rent, air-conditioning charges, rates in arrears and such interest shall be payable and calculated from the date upon which such payment in arrears fell due and not fourteen days thereafter. For the avoidance of doubt, the day on which the rent, air-conditioning charge, rates or any part thereof shall become payable is included in the reckoning of the said period of fourteen days.
6. Clients should note that all prospective tenancies granted are fixed term tenancies and cannot be terminated early before their natural expiry dates.
7. The attention of clients is drawn to the fact that whenever the tenancy is terminated for whatever reasons, the tenant is required to deliver up vacant possession of the premises to Hong Kong Housing Authority unconditionally, and shall not be entitled to any claim for compensation. Hong Kong Housing Authority shall have the full right to relet the premises or otherwise dispose of the premises in such manner and to such person as it may think fit, free from the interference of any person.
8. Client should note that the granting of a commercial tenancy does not confer upon the tenant any exclusive right to any particular trade in the estate concerned, and that Hong Kong Housing Authority reserves the right to let other premises in the estate concerned in whatever manner for the same trade according to the needs as assessed by Hong Kong Housing Authority. Change of user of the premises during the term of the tenancy shall not be permitted without the written consent of Hong Kong Housing Authority.
9. Clients should note that under the terms of the Tenancy Agreement, Housing

Authority shall be entitled to transfer and assign the reversion of the premises and all the rights and obligations under the Tenancy Agreement to any third party on such terms and conditions as the Housing Authority shall think fit without any interference or any claim or demand for compensation whatsoever by the Tenant.

The General Requirements for Fitting-out

1. Clients are advised to note the maximum electricity loading available to the premises. Should additional loading beyond the designed capacity be required, the expenses incurred in upgrading, plus on-cost as supervision charge, will be wholly borne by the prospective tenant, provided that the upgrading is approved by the Housing Department. The on-cost rate for works with estimated works value below \$500,000.00 is 20%. For estimated works value \$500,000.00 or above, the on-cost rate is 25.4% or the individual costing for the on-cost upon confirmation with the prospective tenant.
2. The prospective tenant shall accept the premises in the state and condition in which they are found at the date when possession is given and shall be responsible for the fitting-out of the premises, including air-conditioning system, enclosing walls, shop fronts, toilet facilities and other building services items on the premises, to meet the requirements of Hong Kong Housing Authority and other competent authorities. All modifications to the building services installations, including fire services sprinklers must be carried out by contractors appointed by the Housing Department subject to agreement of the Housing Department. The expenses incurred in all modifications, plus on-cost as supervision charge, will be wholly borne by the prospective tenant. The on-cost rate for works with estimated works value below \$500,000.00 is 20%. For estimated works value \$500,000.00 or above, the on-cost rate is 25.4% or the individual costing for the on-cost upon confirmation with the prospective tenant.
3. In responding to Hong Kong Housing Authority's invitation for leasing proposals for single operator markets and single operator shopping centres, prospective tenants should note that their proposed conversion plan should only lie within the leased area and meet the requirements of all other competent authorities. Any increase in retail space as a result of such conversion shall be subject to the final approval of Hong Kong Housing Authority and other relevant authorities.
4. The prospective tenant is required to submit plans for the intended conversion to the Housing Department and no conversion work shall be started until written approval is obtained from the Housing Department. In case of large scale fitting-out works, the prospective tenant is requested to appoint an Authorized Person under the Buildings Ordinance to submit the drawings in a

proper manner.

5. The prospective tenant will be allowed to install his own air-conditioning system on the premises if no central air-conditioning is provided but installation of air-conditioning plant and routing of pipe/duct are subject to prior approval from the Housing Department. Besides, properly connected drainage for condensation should be provided where air-conditioning units are used.
6. No installation likely to cause disturbance to persons and properties, (e.g. exhaust fans, fume-extractors, etc.) will be permitted without prior approval from the Housing Department.
7. No alteration to shop front is permitted unless approval has been obtained from the Housing Department.
8. Installation of signage outside the premises is allowed only at designated locations. The location, layout, lettering and colour scheme of the proposed signs are to be approved by the Housing Department.
9. The Single Operator of Market or Shopping Centre has to submit Safety Supervision Plan for Housing Department's vetting and approval when Authorized Person and / or Registered Structural Engineer are required in the course of fitting-out works. Forms for Safety Supervision Plan are available in the Estate / Court office upon request. Besides, submission of Management Plan and Maintenance Plan are also required.
10. A pre-letting meeting can be arranged upon request to answer questions from prospective tenants before submission of fitting-out plans. A guideline has been developed to help the prospective tenants to identify what types of fitting-out works would require submission to Independent Checking Unit and licensing authority. Respective Shopping Centre Manager will provide the guideline to the prospective tenants before they submit their applications. For complicated submission, a case conference can be arranged with the tenant to collate input from the different disciplines simultaneously.
11. We will vet from Landlord' s role and approve the applications for fitting-out works by 3 classes according to complexity as below.

Class 1 : Simple case : No alteration of BS installations, structure, waterproofing, drainage, compartmentation, outlook of the building.

To be completed within 10 calendar days including Saturdays, Sundays and public holidays.

Class 2 : Normal case : Considerable amount of building works, relocation of internal partitions, forming of

openings in floor or wall.

To be completed within 20 calendar days including Saturdays, Sundays and public holidays.

Class 3 : Complicated case : Involved major building works, additional floor or wall, installation of heavy machine or equipment.

To be completed within 30 calendar days including Saturdays, Sundays and public holidays.

Note: Time count will stop when reminder to call for supplementary information is sent out to tenant and resumes when full set of required information is received.

Normal Leasing Procedures through Negotiation

1. Clients will be notified in writing the result of their leasing proposals as soon as decision is made by Hong Kong Housing Authority.
2. Upon receipt of a formal notice that a tenancy of the premises is offered by Hong Kong Housing Authority, the successful client will be required to confirm in writing within 14 days from the date of such notice and should pay by cheque a non-refundable deposit equivalent to 1 month's rent applicable to the tenancy. This amount of money will be offset as part of the rent deposit or rent at the time when a formal tenancy agreement is signed.
3. Hong Kong Housing Authority will give prior written notice to the successful client to take possession of the leased premises. The date of commencement of the tenancy shall be the date on which possession of the leased premises is given.
4. On signing the tenancy agreement, in addition to the payment of the offered rent for the first month, the successful client shall be required to pay a cash deposit equivalent to two months' the average bidden rent of the tenancy term, either in cash or bank guarantee or a combination of either, to Hong Kong Housing Authority. For Single Operator Market, a deposit equivalent to 3 months' average rent in cash of which two months' average rent may be in the form of a bank guarantee. This deposit, without any interest thereon, shall be refunded on termination of the tenancy provided that there shall be no outstanding rent, and/or rates, air-conditioning charge or other outstanding breaches of the tenancy agreement.

Special Rules and Regulations

1. Hong Kong Housing Authority does not bind itself to accept any leasing proposal.
2. Clients are reminded that if manipulation of Hong Kong Housing Authority's negotiation system is discovered, and such has been proved to the satisfaction of the Director of Housing, then the said Director can at his discretion reject the leasing proposals from such clients. The decision by the Director of Housing as to whether the negotiation system has been manipulated and as to whether the clients are involved in the manipulation is final.
3. No charge is made for the processing of any leasing proposal. Reports should be made to the appropriate authority immediately for any person purporting to offer assistance in respect of the leasing proposal in return for a reward.
4. Clients should note that offering or giving any gratuity, money or gift as an inducement to any employee of the Housing Department in relation to the leasing proposal constitutes an offence under the Prevention of Bribery Ordinance and such cases will be reported to the Independent Commission Against Corruption.
5. To ensure the confidentiality of all leasing proposals, clients must submit their leasing proposals by the method as mentioned in paragraph III.4. Hong Kong Housing Authority holds no responsibility for the confidentiality of any leasing proposal submitted by methods otherwise.

Inclusion of Housing Authority's(HA's) Client List

Persons interested in leasing shop premises by direct negotiation are advised to apply in advance for inclusion in the HA's Client List concerned. For determination of the client's eligibility for letting by direct negotiation, the client is required to submit the following initial document for vetting :-

1. Application Letter with Introduction of the Company, Development Plan, Promotion Programme & Annual Promotion Budget
2. Minutes of Meeting of Director - Letter of Authorization for Leasing with Hong Kong Housing Authority
3. Memorandum & Articles of Association
4. Certificate of Incorporation.
5. Business Registration Certificate (for office, workshop and all outlets)

6. Certified True Copy of Annual Return of Directors to Company Registrar
7. List of outlets with area & photographs
8. Bank Reference for showing financial capability of the company to sustain a retail operation of the proposed trade
9. Profit & Loss Accountrts
10. Recent Six Months Current Account Statements

Time frame for vetting the application for inclusion into the Housing Authority's client list is as follows -

1. We will provide an interim reply within 10 days of receipt of the application.
2. We will provide a substantive reply within 21 days of receipt of the application. If we cannot provide a substantive reply wihtin 21 days, we will keep you informed of the progress on or before the substantive reply due date and on a monthly basis.

For enquiry, please contact our office by phone or in person. Contact details are as follows :

Commercial Properties Management Unit
Estate Management Division
Hong Kong Housing Authority Customer Service Centre
Podium Level 1
3 Wang Tau Hom South Road
Kowloon
Hong Kong

Tel : 2711 5138

Section B

Chapter 24: Short Term Letting of Commercial Premises (by Estate/Shopping Centre)

Eligibility of Applicant

1. Applicants, if in the individual capacity, must be 18 years of age or over.
2. Applicants, if in the capacity of a corporation, must be a limited company.
3. If any person who signs as applicants does so as an agent or a trustee for any other person or persons, he shall disclose in his Application Form the names and addresses of such person or persons. If no such disclosure is made, the person signing the Application Form shall be deemed to be a principal and no subsequent disclosure of any trust, agencies, etc. will be recognized by Hong Kong Housing Authority.

Ways of Submitting the Application

1. Applicants are invited through notice for leasing of vacant commercial premises of up to 70 m² in size offered unsuccessfully at least once for a standard term. Details of the commercial premises, including location and area are publicized.
2. Applicants may obtain Application Forms and Conditions of Application at the estate/shopping centre offices concerned.
3. The proposed letting is to be let on a first-come-first-served walk-in basis.
4. Applicants are reminded to note the specified application period and to submit the application to estate/shopping centre offices concerned. Submission after the specified closing time and date will not be considered. Hong Kong Housing Authority will not be responsible for any mislaid applications submitted by methods otherwise.
5. Applicant is required to pay in cash/cashier's order an amount of HK\$1,000 as the Application Deposit.

Basic Leasing Terms and Conditions

1. Applicants can choose to let for any period from one month up to twelve months. An initial period of less than twelve months may subsequently be extended up to twelve months on request.

2. The licensee may apply for a standard three-year tenancy term during the licence period subject to a rent review and compliance with tenancy conditions.
3. Applications will only be accepted from applicants who will occupy the premises for their own use and no assignment, sub-letting or parting with the possession of the premises or any part thereof will be permitted without the prior written approval from Hong Kong Housing Authority.
4. Applicants should note that under the licence, if the licence fees, air-conditioning charge or any part thereof shall be unpaid for fourteen days after the same shall become payable (whether formally demanded or not) or if the rates or any part thereof shall be unpaid for fourteen days after the same shall become payable the licensee shall further pay to HA interest at the rate of 2% per month on the amount of licence fees, air-conditioning charges, rates in arrears and such interest shall be payable and calculated from the date upon which such payment in arrears fell due and not fourteen days thereafter. For the avoidance of doubt, the day on which the licence fees, air-conditioning charge, rates or any part thereof shall become payable is included in the reckoning of the said period of fourteen days.
5. The prospective licensees can enjoy a 7-day rent-free period.
6. The attention of applicants is drawn to the fact that whenever the licence is terminated for whatever reasons, the licensee is required to deliver up vacant possession of the premises to Hong Kong Housing Authority unconditionally, and shall not be entitled to any claim for compensation. Hong Kong Housing Authority shall have the full right to relet the premises or otherwise dispose of the premises in such manner and to such person as it may think fit, free from the interference of any person.
7. Applicants should note that the granting of a commercial licence does not confer upon the licensee any exclusive right to any particular trade in the estate/shopping centre concerned, and that Hong Kong Housing Authority reserves the right to let other premises in the estate/shopping centre concerned in whatever manner for the same trade according to the needs as assessed by Hong Kong Housing Authority. Change of user of the premises during the term of the licence shall not be permitted without the written consent of Hong Kong Housing Authority.
8. Applicant should note that under the terms of the Licence Agreement, the Housing Authority shall be entitled to transfer and assign the reversion of the premises and all the right and obligations under the Licence Agreement to any third party on such terms and conditions as the Housing Authority shall think fit without any interference or any claim or demand for compensation whatsoever by the licensee.

The General Requirements for Fitting-out

1. Applicants are advised to note the maximum electricity loading available to the premises. Should additional loading beyond the designed capacity be required, the expenses incurred in upgrading, plus on-cost as supervision charge, will be wholly borne by the prospective licensee, provided that the upgrading is approved by the Housing Department. The on-cost rate for works with estimated works value below \$500,000.00 is 20%. For estimated works value \$500,000.00 or above, the on-cost rate is 25.4% or the individual costing for the on-cost upon confirmation with the prospective licensee.
2. The prospective licensee shall accept the premises in the state and condition in which they are found at the date when possession is given and shall be responsible for the fitting-out of the premises to meet the requirements of Hong Kong Housing Authority and other competent authorities. All modifications to the building services installations, subject to agreement of the Housing Department, must be carried out by contractors appointed by the Housing Department. The expenses incurred in all modifications, plus on-cost as supervision charge, will be wholly borne by the prospective licensee. The on-cost rate for works with estimated works value below \$500,000.00 is 20%. For estimated works value \$500,000.00 or above, the on-cost rate is 25.4% or the individual costing for the on-cost upon confirmation with the prospective licensee.
3. The prospective licensee is required to submit plans for the intended conversion to the Housing Department and no conversion work shall be started until written approval is obtained from the Housing Department.
4. The prospective licensee will be allowed to install his own air-conditioning system on the premises if no central air-conditioning is provided but installation of air-conditioning plant and routing of pipe/duct are subject to prior approval from the Housing Department. Besides, properly connected drainage for condensation should be provided where air-conditioning units are used.
5. No installation likely to cause disturbance to persons and properties, (e.g. exhaust fans, fume-extractors, etc.) will be permitted without prior approval from the Housing Department.
6. No alteration to shop front is permitted unless approval has been obtained from the Housing Department.
7. Installation of signage outside the premises is allowed only at designated locations. The location, layout, lettering and colour scheme of the proposed signs are to be approved by the Housing Department.

8. A pre-letting meeting can be arranged upon request to answer questions from prospective licensees before submission of fitting-out plans. A guideline has been developed to help the prospective licensees to identify what types of fitting-out works would require submission to Independent Checking Unit and licensing authority. Respective Shopping Centre Manager will provide the guideline to the prospective licensees before they submit their applications. For complicated submission, a case conference can be arranged with the tenant to collate input from the different disciplines simultaneously.
9. We will vet from Landlord's role and approve the applications for fitting-out works by 3 classes according to complexity as below.

Class 1 : Simple case : No alteration of BS installations, structure, waterproofing, drainage, compartmentation, outlook of the building.
To be completed within 10 calendar days including Saturdays, Sundays and public holidays

Class 2 : Normal case : Considerable amount of building works, relocation of internal partitions, forming of openings in floor or wall.
To be completed within 20 calendar days including Saturdays, Sundays and public holidays.

Class 3 : Complicated case : Involved major building works, additional floor or wall, installation of heavy machine or equipment.
To be completed within 30 calendar days including Saturdays, Sundays and public holidays.

Note: Time count will stop when reminder to call for supplementary information is sent out to tenant and resumes when full set of required information is received.

Normal Leasing Procedures of Short Term Letting

1. Applicants will be notified in writing the result of their applications as soon as a decision is made by Hong Kong Housing Authority.
2. Applicants may be called upon to attend selection interviews and if eligible to sign a Licence the terms of which are those normally applicable to lettings

under Hong Kong Housing Authority's management. Applicants shall attend the interviews or execute the Licence whichever is applicable within seven days from the date of a written notice or offer issued by the Director of Housing or an officer delegated by him, and licence fee will be payable upon expiry of the rent free period stated in the Licence.

3. On signing the Licence, in addition to the payment of the licence fee for the first month, the successful applicant shall be required to pay a deposit equivalent to one month's licence fee of the licence term to Hong Kong Housing Authority. Provided that there shall be no outstanding licence fee, and/or rates, air-conditioning charge, if any, or other breaches of the licence, this deposit, without any interest thereon, shall be refunded on termination of the licence.
4. Hong Kong Housing Authority will give prior written notice to the successful applicant to take possession of the leased premises. The date of commencement of the licence shall be the date on which possession of the leased premises is given.

Special Rules and Regulations

1. Hong Kong Housing Authority does not bind itself to accept any application.
2. Applicants are reminded that if manipulation of Hong Kong Housing Authority's application system is discovered, and such has been proved to the satisfaction of the Director of Housing, then the said Director can at his discretion reject the applications from such applicants. The decision by the Director of Housing as to whether the application system has been manipulated and as to whether the applicants are involved in the manipulation is final.
3. No charge is made on the supply of the application form and for the processing of applications. Reports should be made to the appropriate authority immediately for any person purporting to offer assistance in respect of the tenders in return for a reward.
4. Any applicant who attempts to influence consideration of his or her application by approaching any member of the staff of the department or by the use of any other improper means shall render his or her application invalid.
5. Applicants are warned that offering or giving any gratuity, money or gift as an inducement to any employee of the Housing Department in relation to the application constitutes an offence under the Prevention of Bribery Ordinance and such cases will be reported to the Independent Commission Against Corruption.

Section B

Chapter 25 : Letting of Commercial Premises by Open Instant Tender (by Estate/Shopping Centre)

Eligibility of Tenderer

1. Tenderers, if in the individual capacity, must be 18 years of age or over.
2. Tenderers, if in the capacity of a corporation, must be a limited company.
3. If any person who signs as tenderer does so as an agent or a trustee for any other person or persons, he shall disclose in his Tender Form / Application Form the names and addresses of such person or persons. If no such disclosure is made, the person signing the Tender Form / Application Form shall be deemed to be a principal and no subsequent disclosure of any trust, agencies, etc. will be recognized by Hong Kong Housing Authority.

Letting Arrangements

1. The commercial premises are leased under a standard three-year tenancy term. Tenderers will bid in a ballot tender and the tenancy will be granted to the tenderer who offers the highest bid.
2. A list of commercial premises available for lease with predetermined upset rent and trades are displayed at the estate/shopping centre offices concerned.
3. Tenderers must register and pay tender deposit before tendering. Only registered tenderers are allowed to enter the venue to bid on the date of the tender exercise.

Basic Leasing Terms and Conditions

1. All tenancies are normally granted on a fixed term of three years without an option to renew.
2. Tenderers must occupy the premises for their own use and no assignment, sub-letting or parting with the possession of the premises or any part thereof will be permitted without the prior written approval from Hong Kong Housing Authority.
3. a. The prospective tenants are allowed a rent-free period subject to the

conditions set out in 3(b). The period may range from 1 month to 3 months according to the followings:

Size of Premises	Rent-free Period
Less than 100m ²	One month
Between 100m ² - 250m ²	Two months
Larger than 250m ²	Three months

- b. The rent-free period is to be granted subject to:-
- no breach of any terms and conditions of the tenancy agreement; and
 - no termination of the tenancy by the tenant

during the period of 6 months from the commencement of the tenancy (the "Period"). If at any time during the Period there is any breach of the terms of the tenancy and the tenancy is terminated by the Housing Authority in consequence of such breach or if the tenancy is terminated by the tenant prior to the expiration of the Period, without prejudice to any other rights of the Housing Authority under the tenancy agreement, the tenant shall forthwith pay to the Housing Authority the rent for the period as set out in 3(a) above.

- Tenderers should note that under the Tenancy Agreement, if the rent, air-conditioning charge or any part thereof shall be unpaid for fourteen days after the same shall become payable (whether formally demanded or not) or if the rates or any part thereof shall be unpaid for fourteen days after the same shall become payable the tenant shall further pay to HA interest at the rate of 2% per month on the amount of rent, air-conditioning charges, rates in arrears and such interest shall be payable and calculated from the date upon which such payment in arrears fell due and not fourteen days thereafter. For the avoidance of doubt, the day on which the rent, air-conditioning charge, rates or any part thereof shall become payable is included in the reckoning of the said period of fourteen days.
- Tenderers should note that whenever the tenancy is terminated for whatever reasons, the tenant is required to deliver vacant possession of the premises to Hong Kong Housing Authority unconditionally, and shall not be entitled to any claim for compensation. Hong Kong Housing Authority shall have the full right to relet the premises or otherwise dispose of the premises in such manner and to such person as it may think fit, free from the interference of any person.
- Tenderers should note that the granting of a commercial tenancy does not confer upon the tenant any exclusive right to any particular trade in the estate / shopping centre concerned, and that Hong Kong Housing Authority reserves the right to let other premises in the estate/shopping centre concerned in whatever manner for the same trade according to the needs as assessed by Hong Kong

Housing Authority. Change of user of the premises during the term of the tenancy shall not be permitted without the written consent of Hong Kong Housing Authority.

7. Tenderers should note that under the terms of the Tenancy, the Housing Authority shall be entitled to transfer and assign the reversion of the premises and all the rights and obligations under the Tenancy to any third party on such terms and conditions as the Housing Authority shall think fit without any interference or any claim or demand for compensation whatsoever by the Tenant.

The General Requirements for Fitting-out

1. Tenderers are advised to note the maximum electricity loading available to the premises. Should additional loading beyond the designed capacity be required, the expenses incurred in upgrading, plus on-cost as supervision charge, will be wholly borne by the prospective tenant, provided that the upgrading is approved by the Housing Department. The on-cost rate for works with estimated works value below \$500,000.00 is 20%. For estimated works value \$500,000.00 or above, the on-cost rate is 25.4% or the individual costing for the on-cost upon confirmation with the prospective tenant.
2. The prospective tenant shall accept the premises in the state and condition in which they are found at the date when possession is given and shall be responsible for the fitting-out of the premises to meet the requirements of Hong Kong Housing Authority and other competent authorities. All modifications to the building services installations, subject to agreement of the Housing Department, must be carried out by contractors appointed by the Housing Department. The expenses incurred in all modifications, plus on-cost as supervision charge, will be wholly borne by the prospective tenant. The on-cost rate for works with estimated works value below \$500,000.00 is 20%. For estimated works value \$500,000.00 or above, the on-cost rate is 25.4% or the individual costing for the on-cost upon confirmation with the prospective tenant.
3. The prospective tenant is required to submit plans for the intended conversion to the Housing Department and no conversion work shall be started until written approval is obtained from the Housing Department.
4. The prospective tenant will be allowed to install his own air-conditioning system on the premises if no central air-conditioning is provided but installation of air-conditioning plant and routing of pipe/duct and wires are subject to prior approval from the Housing Department. Besides, properly connected drainage for condensation should be provided where air-conditioning units are used.
5. No installation likely to cause disturbance to persons and properties (e.g.

exhaust fan, fume-extractors, etc.) will be permitted without prior approval from the Housing Department.

6. No alteration to shop front is permitted unless approval has been obtained from the Housing Department.
7. Installation of signage outside the premises is allowed only at designated locations. The location, layout, lettering and colour scheme of the proposed signs are to be approved by the Housing Department.
8. A pre-letting meeting can be arranged upon request to answer questions from prospective tenants before submission of fitting-out plans. A guideline has been developed to help the prospective tenants to identify what types of fitting-out works would require submission to Independent Checking Unit and licensing authority. Respective Shopping Centre Manager will provide the guideline to the prospective tenants before they submit their applications. For complicated submission, a case conference can be arranged with the tenant to collate input from the different disciplines simultaneously.
9. We will vet from Landlord's role and approve the applications for fitting-out works by 3 classes according to complexity as below.

Class 1 : Simple case : No alteration of BS installations, structure, waterproofing, drainage, compartmentation, outlook of the building.

To be completed within 10 calendar days including Saturdays, Sundays and public holidays.

Class 2 : Normal case : Considerable amount of building works, relocation of internal partitions, forming of openings in floor or wall.

To be completed within 20 calendar days including Saturdays, Sundays and public holidays.

Class 3 : Complicated case : Involved major building works, additional floor or wall, installation of heavy machine or equipment.

To be completed within 30 calendar days including Saturdays, Sundays and public holidays.

Note: Time count will stop when reminder to call for supplementary information is sent out to tenant and resumes when full set of required information is received.

Normal Leasing Procedures

1. In addition to the payment of the tendered rent for the first month, the successful tenderer shall be required to pay a rent deposit equivalent to two months' average tendered rent of the tenancy term on the tender day either by cheque or cashier's order. The tender deposit may be offset as part payment of the said rent deposit. Provided that there shall be no outstanding rent, and / or rates, air-conditioning charge, if any, or other breaches of the tenancy agreement, deposit in full, without any interest thereon, shall be refunded on termination of the tenancy.
2. The successful tenderer shall attend the interviews or execute the Tenancy Agreement whichever is applicable within the time specified in a written notice issued by the Hong Kong Housing Authority or such person as authorized by the Hong Kong Housing Authority, which time shall be not less than seven days from the date of the notice. The tenancy shall commence and rent shall be payable from the date of the execution of the Tenancy Agreement. In the event the successful tenderer fails for whatever reasons to attend the interviews or to execute the Tenancy Agreement within the time specified, Hong Kong Housing Authority may by notice in writing to the successful tenderer forthwith cancel the tender and the letting of the premises to the successful tenderer hereunder. Upon the cancellation of the tender and the letting of the premises as aforesaid the **entire deposit** shall forthwith be absolutely forfeited to Hong Kong Housing Authority as liquidated damages and not as a penalty without any further notice and Hong Kong Housing Authority may let the premises to such other person and/or deal with the premises in such manner as Hong Kong Housing Authority shall consider appropriate, and the successful tenderer shall not have any claim whatever for compensation or refund of the deposit or in respect of the premises or otherwise against Hong Kong Housing Authority.
3. Hong Kong Housing Authority will give prior written notice to the successful tenderer to take possession of the leased premises. The date of commencement of the tenancy shall be the date on which possession of the leased premises is given.

Special Rules and Regulations

1. Hong Kong Housing Authority does not bind itself to accept any tender.
2. Tenderers are reminded that if manipulation of Hong Kong Housing Authority's letting system is discovered, and such has been proved to the satisfaction of the Director of Housing, then the said Director can at his discretion reject the tenders from such tenderers. The decision by the Director of Housing as to whether the letting system has been manipulated and as to whether the tenderers

are involved in the manipulation is final.

3. No charge is made on the supply of the tender form and for the processing of tenders. Reports should be made to the appropriate authority immediately for any person purporting to offer assistance in respect of the tenders in return for a reward.
4. Any person who attempts to influence consideration of his or her tender by approaching any member of the staff of the department or by the use of any other improper means shall render his or her tender invalid.
5. Tenderers are reminded that offering or giving any gratuity, money or gift as an inducement to any employee of the Housing Department in relation to the tender constitutes an offence under the Prevention of Bribery Ordinance and such cases will be reported to the Independent Commission Against Corruption.
6. All tenders will be kept strictly confidential.

Section B

Chapter 26 : Short Term Letting of Commercial Premises (by Non-domestic (Headquarters) Management Unit)

Eligibility of Applicants/Tenderers

1. Tenderers/Applicants, if in the individual capacity, must be 18 years of age or over.
2. Applicants/Tenderers, if in the capacity of a corporation, must be a limited company.
3. If any person who signs as tenderers/applicants does so as an agent or a trustee for any other person or persons, he shall disclose in his Application/Tender Form the names and addresses of such person or persons. If no such disclosure is made, the person signing the Application/Tender Form shall be deemed to be a principal and no subsequent disclosure of any trust, agencies, etc. will be recognized by Hong Kong Housing Authority.

Ways of Submitting the Tender/Application

1. Tenderers/Applicants are invited through newspaper advertisements for leasing of vacant commercial premises of up to 70 m² in size offered to let unsuccessfully in open tender exercise at least thrice for a standard term.
2. Letting by Open Instant Tender
 - a. Details of commercial premises available for bidding will be displayed at Podium Level 1, HKHA Customer Service Centre, 3 Wang Tau Hom South Road, Kowloon and in estate / court / shopping centre management offices. They will also be uploaded onto the Housing Authority / Housing Department (HA/HD) Web Site on the Friday preceding the day of tender.
 - b. Any person interested in bidding the premises should bring along his / her Hong Kong Identity Card to the tender venue for registration and bidding on the day of tender. Successful tenderers are required to submit a cashier's order or cheque made payable to the "Hong Kong Housing Authority" in the amount equivalent to one month's tendered rent of the commercial premises as deposit instantly.
3. Letting by Walk-in Application on a First-come-first-served Basis

- a. Details of commercial premises available for letting will be displayed at Podium Level 1, HKHA Customer Service Centre, 3 Wang Tau Hom South Road, Kowloon and in estate / court / shopping centre management offices. They will also be uploaded onto the HA/HD Web Site every Friday preceding the letting period.
- b. Any person interested in leasing the premises can bring along his / her Hong Kong Identity Card to the Commercial Properties Management Unit of the Housing Department at Podium Level 1, HKHA Customer Service Centre, 3 Wang Tau Hom South Road, Kowloon in person from 9:30 am to 12:00 noon and 2:00 pm to 4:00 pm on Mondays to Fridays (except public holidays) during the letting period. Prospective tenants are required to submit a cashier's order or cheque made payable to the "Hong Kong Housing Authority" and in the amount equivalent to one month's rent of the commercial premises as deposit.

Basic Leasing Terms and Conditions

1. The term of tenancy is twelve months.
2. The tenant may apply for a standard three-year tenancy term during the short-term tenancy period subject to a rent review and compliance with tenancy conditions.
3. Tenders/ Applications will only be accepted from tenderers/applicants who will occupy the premises for their own use and no assignment, sub-letting or parting with the possession of the premises or any part thereof will be permitted without the prior written approval from Hong Kong Housing Authority.
4. Tenderers/Applicants should note that under the Tenancy Agreement, if the rent, air-conditioning charge or any part thereof shall be unpaid for fourteen days after the same shall become payable (whether formally demanded or not) or if the rates or any part thereof shall be unpaid for fourteen days after the same shall become payable the tenant shall further pay to HA interest at the rate of 2% per month on the amount of rent, air-conditioning charges, rates in arrears and such interest shall be payable and calculated from the date upon which such payment in arrears fell due and not fourteen days thereafter. For the avoidance of doubt, the day on which the rent, air-conditioning charge, rates or any part thereof shall become payable is included in the reckoning of the said period of fourteen days under this provision.
5. The prospective tenant can enjoy a one-month rent-free period.
6. The attention of tenderers/applicants is drawn to the fact that whenever the tenancy is terminated for whatever reasons, the tenant is required to deliver up

vacant possession of the premises to Hong Kong Housing Authority unconditionally, and shall not be entitled to any claim for compensation. Hong Kong Housing Authority shall have the full right to relet the premises or otherwise dispose of the premises in such manner and to such person as it may think fit, free from the interference of any person.

7. Tenderers/Applicants should note that the granting of a commercial tenancy does not confer upon the tenant any exclusive right to any particular trade in the estate/shopping centre concerned, and that Hong Kong Housing Authority reserves the right to let other premises in the estate/shopping centre concerned in whatever manner for the same trade according to the needs as assessed by Hong Kong Housing Authority. Change of user of the premises during the term of the tenancy shall not be permitted without the written consent of Hong Kong Housing Authority.
8. Tenderers/Applicants should note that under the terms of the Tenancy Agreement, the Housing Authority shall be entitled to transfer and assign the reversion of the premises and all the right and obligations under the Tenancy Agreement to any third party on such terms and conditions as the Housing Authority shall think fit without any interference or any claim or demand for compensation whatsoever by the tenant.

The General Requirements for Fitting-out

1. Tenderers/Applicants are advised to note the maximum electricity loading available to the premises. Should additional loading beyond the designed capacity be required, the expenses incurred in upgrading, plus on-cost as supervision charge, will be wholly borne by the prospective tenant, provided that the upgrading is approved by the Housing Department. The on-cost rate for works with estimated works value below \$500,000.00 is 20%. For estimated works value \$500,000.00 or above, the on-cost rate is 25.4% or the individual costing for the on-cost upon confirmation with the prospective tenant.
2. The prospective tenant shall accept the premises in the state and condition in which they are found at the date when possession is given and shall be responsible for the fitting-out of the premises to meet the requirements of Hong Kong Housing Authority and other competent authorities. All modifications to the building services installations, subject to agreement of the Housing Department, must be carried out by contractors appointed by the Housing Department. The expenses incurred in all modifications, plus on-cost as supervision charge, will be wholly borne by the prospective tenant. The on-cost rate for works with estimated works value below \$500,000.00 is 20%. For estimated works value \$500,000.00 or above, the on-cost rate is 25.4% or the individual costing for the on-cost upon confirmation with the prospective tenant.

3. The prospective tenant is required to submit plans for the intended conversion to the Housing Department and no conversion work shall be started until written approval is obtained from the Housing Department.
4. The prospective tenant will be allowed to install his own air-conditioning system on the premises if no central air-conditioning is provided but installation of air-conditioning plant and routing of pipe/duct are subject to prior approval from the Housing Department. Besides, properly connected drainage for condensation should be provided where air-conditioning units are used.
5. No installation likely to cause disturbance to persons and properties, (e.g. exhaust fans, fume-extractors, etc.) will be permitted without prior approval from the Housing Department.
6. No alteration to shop front is permitted unless approval has been obtained from the Housing Department.
7. Installation of signage outside the premises is allowed only at designated locations. The location, layout, lettering and colour scheme of the proposed signs are to be approved by the Housing Department.
8. A pre-letting meeting can be arranged upon request to answer questions from prospective tenants before submission of fitting-out plans. A guideline has been developed to help the prospective tenants to identify what types of fitting-out works would require submission to Independent Checking Unit and licensing authority. Respective Shopping Centre Manager will provide the guideline to the prospective tenants before they submit their applications. For complicated submission, a case conference can be arranged with the tenant to collate input from the different disciplines simultaneously.
9. We will vet from Landlord's role and approve the applications for fitting-out works by 3 classes according to complexity as below.

Class 1 : Simple case : No alteration of BS installations, structure, waterproofing, drainage, compartmentation, outlook of the building.

To be completed within 10 calendar days including Saturdays, Sundays and public holidays.

Class 2 : Normal case : Considerable amount of building works, relocation of internal partitions, forming of openings in floor or wall.

To be completed within 20 calendar days including Saturdays, Sundays and public holidays.

Class 3 : Complicated case : Involved major building works, additional floor or wall, installation of heavy machine or equipment.

To be completed within 30 calendar days including Saturdays, Sundays and public holidays.

Note: Time count will stop when reminder to call for supplementary information is sent out to tenant and resumes when full set of required information is received.

Normal Leasing Procedures of Short Term Letting

1. Tenderers/Applicants will be notified in writing the result of their tenderers/applications as soon as a decision is made by Hong Kong Housing Authority.
2. A tenderer/an applicant shall attend the interviews or execute the Tenancy Agreement whichever is applicable within the time specified in a written notice issued by the Hong Kong Housing Authority or such person as authorized by the Hong Kong Housing Authority, which time shall be not less than seven days from the date of the notice. The tenancy shall commence and rent shall be payable from the date of the execution of the Tenancy Agreement. In the event the tenderer/applicant fails for whatever reasons to attend the interviews or to execute the Tenancy Agreement within the time specified, Hong Kong Housing Authority may by notice in writing to the tenderer/applicant forthwith cancel the tender/application and the letting of the premises to the tenderer/applicant hereunder. Upon the cancellation of the tender/application and the letting of the premises as aforesaid the **entire deposit** shall forthwith be absolutely forfeited to Hong Kong Housing Authority as liquidated damages and not as a penalty without any further notice and Hong Kong Housing Authority may let the premises to such other person and/or deal with the premises in such manner as Hong Kong Housing Authority shall consider appropriate, and the tenderer/applicant shall **not** have any claim whatever for compensation or refund of the deposit or in respect of the premises or otherwise against Hong Kong Housing Authority.
3. On signing the Tenancy, in addition to the payment of the rent for the first month, the successful tenderers/applicants shall be required to pay a deposit equivalent to one month's rent of the tenancy term to Hong Kong Housing Authority. Provided that there shall be no outstanding rent, and/or rates, air-conditioning charge, if any, or other breaches of the tenancy, this deposit, without any interest thereon, shall be refunded on termination of the tenancy.
4. Hong Kong Housing Authority will give prior written notice to the successful tenderer/applicant to take possession of the leased premises. The date of

commencement of the tenancy shall be the date on which possession of the leased premises is given.

Special Rules and Regulations

1. Hong Kong Housing Authority does not bind itself to accept any tender/application.
2. Tenderers/Applicants are reminded that if manipulation of Hong Kong Housing Authority's letting system is discovered, and such has been proved to the satisfaction of the Director of Housing, then the said Director can at his discretion reject the tenders/applications from such tenderers/applicants. The decision by the Director of Housing as to whether the letting system has been manipulated and as to whether the applicants are involved in the manipulation is final.
3. No charge is made on the supply of the tenderer/application form and for the processing of tenders/applications. Reports should be made to the appropriate authority immediately for any person purporting to offer assistance in respect of the tenders/ applicants in return for a reward.
4. Any applicant/tenderer who attempts to influence consideration of his or her application/tenderer by approaching any member of the staff of the department or by the use of any other improper means shall render his or her tender/application invalid.
5. Tenderers/Applicants are warned that offering or giving any gratuity, money or gift as an inducement to any employee of the Housing Department in relation to the tender/application constitutes an offence under the Prevention of Bribery Ordinance and such cases will be reported to the Independent Commission Against Corruption.

Section B

Chapter 27 : The Enhanced Marking Scheme (EMS) for Commercial Properties

To enhance the environmental hygiene of the commercial properties, the Housing Authority (HA) has extended the Yellow Line Scheme for implementation of the EMS to target at misdeeds that have adverse effects on environmental hygiene. The EMS taking effect on 1 October 2006 is an administrative measure serving as a warning system to tenants and an objective standard for frontline staff to follow on when to enforce the termination provision in the tenancy agreement.

Operation of the EMS

The EMS covers all shopping centres, shops, shopstalls and cooked food stalls. Penalty points will be allotted according to the degree of seriousness of misdeeds. Points allotted will be held valid for a period of 2 years and will be cleared only upon expiry of the validity period. The tenants will be alerted once the accrued points reached 10 or above. When the number of valid points accumulates to 16, the subject tenancy will be terminated by the service of Notice-to-Quit (NTQ) in pursuant to Section 19(1)(b) of the Housing Ordinance. The tenant may lodge an appeal against the NTQ to the Appeal Panel (Housing).

Categories of Misdeed Items

The misdeed items and the points to be allotted are tabulated below :-

	<u>Misdeeds</u>	<u>Points</u>
(a)	Unauthorised sale of cooked food/operation of food factory. ^Δ	7
(b)	Denying the HD staff or staff representing HD entry for inspection or repairs.*	7
(c)	Disposing of trade refuse/junks/rubbish indiscriminately in public areas.	5
(d)	Accumulating refuse/wastes inside the leased premises, creating offensive smell and hygienic nuisance.	5
(e)	Unauthorised tapping/improper use of water from HA's water points.	5
(f)	Causing obstruction in the public areas.*	3
(g)	Deposit of paraphernalia indiscriminately atop the shopstall.*	3
(h)	Causing blockage of floor drain and refusing to take timely remedial action.*	3
(i)	Overspill of exclusively used grease trap.*	3

^Δ Penalty points will be allotted against partial change/operation on a small scale in addition to the designated trade. Tenancy enforcement action against unauthorized change of trade that totally deviated from the designated trade will be taken in accordance with the terms of the tenancy agreement.

* Warning will be given to the tenant before allotting points under this misdeed.

The scheme is not applicable to markets let to single operators, i.e. Single Operator Markets (SOMs). SOMs have to observe the obligations stipulated in their leasing agreements with the Housing Authority.

1. 2014/15
2. 2015/16
3. 2016/17
4. 2017/18
5. 2018/19
6. 2019/20
7. 2020/21
8. 2021/22
9. 2022/23
10. 2023/24
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Section B

Chapter 28 : The Factory Marking Scheme

To enhance the environmental hygiene, to keep the fire escape route free from obstructions and to strengthen the enforcement action of the factory estates, the Housing Authority (HA) has implemented the Factory Marking Scheme with effect from 1 September 2005.

Operation of the Factory Marking Scheme

The Scheme targets at misdeeds that associate with abuse in use of the factory units or have adverse effects on building control and environmental hygiene or pose a hazard to public safety.

Penalty points will be allotted according to the degree of seriousness of misdeeds. Points allotted will be held valid for a period of 2 years and will be cleared only upon expiry of the validity period. The tenants will be alerted once the accrued points reached 10 or above. Action for tenancy termination by the HA will be triggered off by the service of Notice-to-Quit (NTQ) in pursuant to Section 19(1)(b) of the Housing Ordinance, when the number of valid points accumulate to 16. Same as other termination of tenancies, factory tenants may lodge an appeal against the NTQ to the Appeal Panel (Housing).

Categories of Misdeed Items

The misdeed items and the points to be allotted are tabulated below: -

<u>Misdeeds</u>	<u>Points</u>
(a) Obstructing or unauthorized occupation of corridors or common areas (Note 1)	5
(b) Denying the landlord entry for inspection and repair (Note 2)	5
(c) Unauthorized installations and structures	7
(d) Storage of excessive dangerous goods	7
(e) Using factory unit for food factory purpose	7
(f) Conversion of factory unit into other unauthorized uses including domestic use	7

Note 1 : Loading / unloading of goods and removal of the same within 48-hours allowed.

Note 2 : Warning will be given to the tenant before allotting points under this misdeed.

Section B

Chapter 29 : Exempting, Deferred Payment or Refund of Rental Deposit

Tenants of Public Rental Housing

Upon signing up of a tenancy agreement for public rental housing unit, the tenant has to pay a rental deposit equivalent to the amount of one month's rent. The deposit is kept by the Hong Kong Housing Authority (HA) to safeguard against any loss from rent default or damages of the fixtures and provisions in the housing unit by the outgoing tenant. The rental deposit will be fully refunded without any interest to the ex-tenant upon termination of tenancy, provided that the ex-tenant does not own any debts to HA. This arrangement is in line with the current practice in the private sector.

HA has the following arrangements on payment of domestic rental deposit:

1. Exemption of Payment of Rental Deposit upon Signing up of Tenancy Agreement

Tenants of all elderly members household ^{Note 1} (AEM) or receiving Rent Assistance Scheme (RAS) with all family members (including tenant) not receiving Comprehensive Social Security Assistance (CSSA) can apply for exemption from paying rental deposit at time of signing up of tenancy agreement. CSSA ^{Note 2} households are not exempted as Social Welfare Department (SWD) will normally grant special allowance to them for payment of rental deposit.

2. Deferred Payment of Rental Deposit

Upon signing up of tenancy agreement, AEM -cum-CSSA households can apply for deferral in payment of rental deposit. The tenant has to authorise Housing Department (HD) to refer his/her case to SWD for arrangement of granting rental deposit allowance. Tenant can approach the estate office to pay back the rental deposit after receipt of the said allowance.

3. Refund of Rental Deposit

a. Domestic Tenants with Special Needs

The sitting tenants of AEM, RAS ^{Note 3} or CSSA who have paid the rental deposit out of their own pockets and have never been granted any allowance for rental deposit by SWD, either in part or in full, can apply to HD for refund of rental deposit. HD will process their application for refund according to their

circumstances. In normal practice, the deposit refunded will be used to offset rent payment of the housing unit. If the households concerned subsequently do not belong to the categories of AEM, RAS or CSSA, they have to inform HD of such changes immediately and to pay back the amount of rental deposit as stipulated in the tenancy agreement.

b. Termination of Tenancy

- i. Ex-tenants who have terminated the tenancy for divorce, move out or other reasons can apply for refund of rental deposit. On application, the applicant has to return the original copy of the rental deposit receipt to HD. If the receipt is lost, he/she is required to make a statutory declaration in respect of the loss of receipt. If ex-tenant does not own any debts to HD, HD will arrange the refund within 14 days from the date of collection of all requisite documents (e.g. the original copy of receipt, statutory declaration for loss of receipt, etc.).
- ii. For transfer of tenancy cases, the new tenant has to obtain prior written consent from ex-tenant (except that ex-tenant is deceased) for transfer of the deposit in application for refund of rental deposit. In general practice, the deposit refunded will be used to offset the rent payment for the housing unit.
- iii. If the ex-tenant has left Hong Kong for a long period, he/she can authorise in writing a third party to collect the deposit on his/her behalf. For deceased tenant without inheritance in the tenancy and the deposit amount does not exceed HK\$4500, the next-of-kin of the late tenant can apply for refund of rental deposit. The applicant has to undertake in writing that he/she will indemnify HD for any loss if a relative or the executor of the estate of late tenant subsequently claims for the deposit against HD. If ex-tenant does not own any debts to HD, HD will arrange the refund within 14 days from the date of collection of all the requisite documents (e.g. the original copy of receipt, statutory declaration for loss of receipt, authorisation and undertaking etc.).

Licensees of Interim Housing

As licensees of interim housing also pay deposit when signing up occupation licence, the above arrangements of rental deposit apply to them as well.

Note 1 All family members including the tenant have attained the age of 60.

Note 2 The tenant (either the whole household or part of the household including the tenant or the tenant only) is receiving CSSA.

Note 3 The family has been approved by Housing Department for Rent Assistance Scheme.

Section C
General Issues

Section C

Chapter 1: Rights and Responsibilities of Hong Kong Housing Authority's Client Groups

To increase efficiency, the Hong Kong Housing Authority (HA) has not only laid down service standards, but also spelt out the rights and responsibilities of our client groups to achieve the goal of "Clear Rights and Obligations for Mutual Benefits".

Waiting List Applicants

1. Applicants have the Rights:
 - to obtain full information on the application procedures, eligibility criteria, prevailing allocation standards and rental levels;
 - to know the progress of their application and the average waiting time of those recently rehoused;
 - to be given a maximum of three offers (one option in each offer) of public rental housing (PRH) in the district of their choice when their turn comes.
2. Applicants have the Responsibilities:
 - to provide full and accurate information about themselves and their family members, substantiated by documentary proofs and inform the HA of any subsequent changes as soon as they arise;
 - to provide timely replies to the HA's letters;
 - to ensure that the statements made upon application are true and correct;
 - to attend vetting interviews and appointments for other formalities as required punctually;
 - to complete intake formalities at the estate office according to the appointed time;
 - to provide acceptable reason for refusing all the three housing offers, otherwise the application will be cancelled.

Public Rental Housing Tenants (Tenancy Matters)

1. In addition to those contained in the Tenancy Agreement, Public Rental Housing Tenants have the rights:

- to give their views directly to the HA or through tenants' organizations such as Mutual Aid Committees or Estate Management Advisory Committees to help improve the management of their estate;
- to appeal to the independent Appeal Panel if their tenancy is terminated by the HA;
- to apply for HA's Rent Assistance Scheme, provided the household meets the eligibility criteria and is not a recipient of the Social Welfare Department's Comprehensive Social Security Assistance;
- to apply for the Emergency Alarm System (commonly known as "pendant alarm") Grant if all members in their household are aged 60 or above and are not recipients of the Social Welfare Department's Comprehensive Social Security Assistance, provided that other relevant criteria are also met;
- to apply for overcrowding relief through transfer provided relevant criteria are met;
- to purchase a Surplus Home Ownership Scheme (HOS) flat or apply for the HOS Secondary Market Scheme, provided relevant criteria are met;
- to purchase the flat which they are now living in when it is put up for sale under the Tenants Purchase Scheme.

2. Apart from observing the obligations in the Tenancy Agreement, Public Rental Housing Tenants have the responsibilities:

- to abide by the Tenancy Agreement and observe the policies adopted by the HA, failing which they may be liable to termination of tenancy;
- to surrender the flat to the HA immediately if they no longer live in it, and if the number of members in their household has fallen below the minimum number set for their existing flat, to move to another suitable flat;
- to keep the environment clean, take good care of the public facilities, avoid causing nuisances or noise, ensure the proper disposal of rubbish and not to cause obstruction to the fire escapes;
- to inform the authorities concerned and the Estate Office immediately in case of emergency;
- to provide accurate information concerning income, assets, and details about household members as required by the HA;
- to tender notice to quit to the HA upon acquisition of another form of subsidised housing administered by the HA or the Housing Society (including purchase of a flat under any subsidised home ownership schemes or transfer to another public housing flat), and to surrender their rental flat to the HA within a specified time.

Public Rental Housing Tenants (Maintenance Matters)

1. Public Rental Housing Tenants have the Rights :

- to require the HA or the relevant management agency to carry out repairs to the building structure, common areas, building services installations and fixtures for which the HA is responsible;
- to be informed in advance of the HA's planned maintenance works and their schedule of implementation;
- to be informed of the progress of the relevant works and be given an explanation for any delay.

2. Public Rental Housing Tenants have the Responsibilities :

- to avoid causing damage to any public facilities, such as fire exit doors and fire hoses. The HA has the right to take appropriate actions against the tenants responsible for any such damages, ranging from taking enforcement action under the prevailing Marking Scheme and having them pay for the repairs to instituting prosecutions;
- to keep their flat in good condition, maintain the facilities in their flat properly and pay for the costs of maintenance, use the building services installations and other facilities in the estate correctly, and inform the Estate Office of all damages to public facilities discovered as soon as possible;
- to apply to the Estate Office before installing any building services like air-conditioners or altering any existing fixtures such as metal gatesets, windows and window grilles, and upon approval, carry out the works according to the prescribed specifications and keep the installations in good repair afterwards;
- to reinstate unauthorised alterations at their own cost, and to pay for the remedy of any damage or loss arising from any such unauthorised alteration works. All authorised works must be carried out by qualified personnel and their completion duly certified;
- to allow the HA's staff or agents to enter the flat to carry out inspection and repair works when necessary;
- to be mindful of the safe use and day-to-day maintenance of the household electrical appliances and gas cooking equipment, and to employ qualified personnel for their regular inspection.

Home Ownership Scheme (HOS) Flat Owners

1. The Owners have the Rights :

- to exercise the rights conferred on the owners as an owner by the Deed of Mutual Covenant;
- to use the communal facilities in their Home Ownership Scheme (HOS) estate;
- to monitor the performance of the management agent and the service contractors in their respective areas of responsibility;
- to request the HA to make good construction defects found within the Defects Liability Period as stipulated in the sales brochure (applicable to Unsold Flats sold under the Sale of Surplus HOS Flats);
- for all the HOS flats sold from Phase 3B to Phase 24A, since the five-year alienation restriction period from the date of first assignment has expired, an owner may opt to sell, let or otherwise alienate the flat in the open market subject to payment of a premium to HA; or he may sell the flat in the HOS Secondary Market to eligible persons without payment of a premium to the HA;
- for the surplus HOS flats sold from 2007 onwards, HA will not accept any buyback offers. An owner may at any time choose to pay premium to the HA so that he can sell, let or otherwise alienate his flat in the open market. However, if the flat is within the five-year alienation restriction period from the date of first assignment, the owner may only enter into the agreement for sale and purchase (including provisional / formal agreement) after the premium application is accepted by the HA (i.e. the offer to assign the flat to the HA is declined by the HA); or he may opt to sell the flat in the HOS Secondary Market from the third year after the date of first assignment to eligible persons without payment of a premium to the HA.

2. The Owners have the Responsibilities:

- to observe the terms and conditions of the Sale and Purchase Agreement, use the flat solely for residential purposes bearing in mind that letting or using the flat for commercial purposes is prohibited, live in the flat with family members included in the application, and immediately inform the Estate Office in writing if there is any change of ownership;
- to observe the provisions governing resale in the Housing Ordinance;
- to comply with the Deed of Mutual Covenant, namely:
 - not to keep dogs and pets, erect illegal structures, make structural alterations or any alterations affecting the external appearance of the building and not to obstruct the common area;
 - to pay management and other fees on time;
 - to keep the flats in good repair so as not to cause nuisance to other residents, and to allow workers to enter their flats to carry out any

necessary maintenance and repair duties;

- to make arrangement with other owners to appoint an Owners' Committee to advise on estate management matters or appoint a Management Committee for the purpose of forming an Owners' Corporation (OC) to manage the estate within one year after the issue of the Certificate of Completion or nine months of the execution of Deed of Mutual Covenant (not applicable to PSPS estates).

Tenants Purchase Scheme (TPS) Flat Owners

1. The Owners have the Rights :

- to exercise the rights conferred on the owners as an owner by the Deed of Mutual Covenant;
- to use the communal facilities in the estate;
- to monitor the performance of the property management agent and the service contractors in their respective areas of responsibility;
- to request the HA to carry out structural repairs during the 7-year guarantee of structural safety;
- to sell, let or otherwise alienate the flat in the open market after a lapse of two years from the date of first assignment subject to payment to the HA a premium which is calculated in accordance with the formula as stipulated in the Schedule to the Housing Ordinance;
- to sell the flat, after a lapse of two years from the date of first assignment, to eligible persons in the HOS Secondary Market without payment of a premium to the HA.

2. The Owners have the Responsibilities :

- to observe the terms and conditions of the conveyance and use the flat solely for residential purposes, i.e., to live in the flat with the authorised occupants and never use it for commercial or letting purposes, and to inform the Estate Offices in writing of any change of ownership as soon as it occurs;
- to observe the provisions of the Housing Ordinance governing resale;
- to comply with the provisions of the Deed of Mutual Covenant, including:
 - not to keep dogs and pets without permission; not to erect illegal structures, make structural alterations or modifications, do anything which affects the external appearance of the building, and not to obstruct the common area;

- to pay management and other fees on time;
- to keep the flat in good repair so as not to cause nuisance to other residents, and to allow workers to enter their flat to carry out any necessary maintenance and repair duties.

Contact Information

HA Hotline : 2712 2712 (24-hour service)
 Faxline : 2624 5685
 Email : hkha@housingauthority.gov.hk

Commercial Premises Applicants

1. The Applicants have the Rights :
 - to obtain full information on the tendering procedures, eligibility criteria and details of the premises on offer;
 - to know the terms and conditions of the tender or proposed letting;
 - to obtain the information on the number of shops and types of trades in HA's new shopping centres;
 - to know the HA's progress in handling their tender and be notified of the result;
 - to participate in restricted tenders and to ask for detailed information on this from HA's Redevelopment Sub-section if they are commercial tenants affected by redevelopment.
2. The Applicants have the Responsibilities :
 - to submit the completed tender documents together with the deposit (cheque or cashier order) before the close of invitation;
 - to provide full and accurate information about themselves and their partner(s) / limited company, substantiated by documentary proofs upon HA's request, and ensure that the declarations made are true and accurate;
 - to attend the pre-letting interview punctually and complete the signing-up formalities.
3. The Housing Authority's Services :
 - In person at the Shopping Centre Management Offices / Estate Offices concerned and the enquiry counters of the Commercial Properties Management Unit of the Estate Management Division located at:

- In person at the Shopping Centre Management Offices / Estate Offices concerned and the enquiry counters of the Non-Domestic (Headquarters) Management Unit of the Estate Management Division located at:

The Hong Kong Housing Authority Customer Service Centre
Podium Level 1
3 Wang Tau Hom South Road
Kowloon, Hong Kong

HA/HD Web Site <http://www.housingauthority.gov.hk>

- The HA has set up enquiry counters at the Commercial Properties Management Unit to provide assistance. A tender box is placed at the Commercial Properties Management Unit for collection of completed tender documents during the invitation period.
- Upon the close of invitation, the HA will conduct checks to sort out the valid tenders received. The HA will inform the applicants in writing of the tender result. If the applicants are successful, they will be invited to complete signing up formalities. If the applicants are unsuccessful, they will be refunded the deposit paid.
- Information can be obtained through HA's Tender Information Hotline 2607 8866 and free facsimile at 2712 2712. Applicants may also contact our Commercial Properties Management Unit at 2711 5138 direct during office hours.

Contact Information

Non-Domestic (Headquarters) Management Unit

Telephone : 2711 5138

Tender Information Hotline : 2607 8866

HA Hotline 2712 2712 for enquiries or for receiving information through fax

Commercial Premises/Non-domestic Premises Tenants

1. The Tenants have the Rights:
 - to use the premises in accordance with the terms of the tenancy agreement;
 - to obtain information on fitting-out requirements;
 - to enjoy professional management services.
2. The Tenants have the Responsibilities:
 - to observe strictly the terms of the tenancy agreement, including the payment of rent on time, application for fitting-out works and engaging in

business of the specified trade within the designated area, etc;

- to comply with licensing requirements of relevant authorities and provide the HA with copy / copies of the licence(s);
- submission to the Independent Checking Unit for Alteration and Addition Works if required;
- not to create any nuisance such as pollution, noise, obstruction, etc.

3. The Housing Authority's Services:

- The HA monitors and administers all commercial lettings of the HA and passes on the residents' views on the services of the commercial tenants;
- A pre-letting meeting can be arranged upon request to answer questions from prospective tenants before submission of fitting-out plans;
- A guideline has been developed to help the prospective tenants to identify what types of fitting-out works would require submission to Independent Checking Unit and licensing authority. Respective Shopping Centre Manager would provide the guideline to the prospective tenants before they submit their applications;
- For complicated submission, a case conference can be arranged with the tenant to collate input from the different disciplines simultaneously.

Contact Information

HA Hotline : 2712 2712 (24-hour service)

Faxline : 2624 5685

Email : hkha@housingauthority.gov.hk

Section C

Chapter 2: Performance Pledge

The Hong Kong Housing Authority will conduct periodic review on the performance pledge according to the needs of the clients.

Waiting List Applicants

1. We will within 3 months from the confirmed receipt of their applications notify the applicants in writing as to whether they are successful in registering onto the waiting list for public rental housing.
2. When an application reaches the investigation stage, we will give the applicant 1 week's advance notice of the vetting interview.
3. We will conduct the vetting interview within 30 minutes of the appointed time if the applicants arrive on time.
4. Upon submission of full information by the applicants during the vetting interview at investigation stage, we will conduct checking and verification and advise the applicants on whether they are eligible for allocation within 2 months.
5. We will conduct a vetting interview with the applicant within 3 weeks upon receipt of referral from the Social Welfare Department recommending "compassionate rehousing".
6. We have set up the e-service on the web and the Housing Authority Hotline 2712 2712 enabling applicants to enquire on the progress of their applications. We will update the relevant application progress data to the closing status of the preceding working day.

Public Rental Housing Tenants

Tenancy Matters

7. We will attend to tenants within 7 minutes when they visit our estate office during office hours.
8. We will attend to tenants within 18 minutes when they pay rent at our estate office during rent collection service hours.

9. We will refund domestic rental deposit and overpaid rent to ex-tenants within 2 weeks upon receipt of application if adequate information is provided and no outstanding debt is owed to the Housing Authority.
10. We will provide interim replies for applications relating to change of head of household, special transfer, rent assistance, rent reversion and subsidy for the installation of an emergency alarm within 10 days if required documents are provided.

We will provide substantive replies for these applications within 18 days. If we cannot provide a substantive reply within 18 days, we will keep tenants informed of the progress on or before the substantive reply due date and on a monthly basis.
11. We will attend to complaints about security and cleansing services in the estate within 12 hours of report to the estate office.
12. We will notify you of the outcome within 2 weeks upon receipt of your application for Certificate of Eligibility to Purchase of a Home Ownership Scheme (HOS) or Tenants Purchase Scheme (TPS) flat under the HOS Secondary Market Scheme, subject to the availability of required information.
13. We will notify you of the outcome within 60 days upon receipt of your application for purchase of your flat in Tenants Purchase Scheme (TPS) estate, subject to the availability of required information.

Maintenance Matters

14. Maintenance personnel will arrive at the scene for report of lift breakdown –
 - within 45 minutes where no trapping of passengers is involved;
 - within 25 minutes if trapping of passengers is involved;
 - have them rescued within 30 minutes of arrival.
15. For sudden interruption of electricity supply -
 - Estate management personnel will arrive at the scene to attend to the sudden interruption of electricity supply within 15 minutes upon receipt of report to the estate office;
 - Maintenance personnel will arrive within 1 hour for maintenance during office hours;
 - Maintenance personnel will arrive within 2 hours for maintenance after office hours;
 - Supply will be resumed within 8 hours after inspection for interruption that affects more than one domestic flat and/or the common areas of the

domestic block.

16. For sudden interruption of fresh water supply -
 - Estate management personnel will arrive at the scene to attend to the sudden interruption of fresh water supply within 15 minutes upon receipt of report to the estate office;
 - Maintenance personnel will arrive within 1 hour for maintenance;
 - Supply will be resumed within 9 hours after inspection where no repairs to underground water mains are required.
17. For sudden interruption of flush water supply -
 - Estate management personnel will arrive at the scene to attend to the sudden interruption of flush water supply within 15 minutes upon receipt of report to the estate office;
 - Maintenance personnel will arrive within 2 hour for maintenance;
 - Supply will be resumed within 20 hours after inspection where no repairs to underground water mains are required.
18. We will arrive at the scene to attend to blockage of drainage in public areas under the HD's care within 15 minutes upon receipt of report to the estate office.
19. We will commence repairs within 12 days upon receipt of tenants' request to the estate office for repairs which the HD is responsible. We will inform tenants of the reasons for the delay within 5 days if longer time is needed to commence works.

(The above repair requests exclude those as mentioned in PPs 14 to 18)

Tree Management Matters

20. Upon receipt of report of suspected hazard imposed by trees managed by the HD
 - We will arrive at the scene within 30 minutes;
 - We will cordon off the hazardous zone within 90 minutes of arrival;
 - We will arrange clearing of fallen branches, if any, within 4 hours of arrival;
 - We will conduct an inspection to the condition of the tree in question within 3 days.

Home Ownership Scheme (HOS) Flat Owners

21. We will notify you of the outcome within 2 weeks upon receipt of your application for Certificate of Availability for Sale of your flat under the HOS Secondary Market Scheme, subject to the availability of required information.

Tenants Purchase Scheme (TPS) Flat Owners

22. We will notify you of the outcome within 2 weeks upon receipt of your application for Certificate of Availability for Sale of your flat under the HOS Secondary Market Scheme, subject to the availability of required information.

Commercial Premises Applicants

23. We will notify tenderers of the validity of tender for leasing of commercial premises within 14 days of the closing date of tender invitation.
24. We will refund the tender deposit to tenderers after Tender Listing Team concluded within 18 days of the closing date of tender invitation if their tenders are not accepted, unless the tenderer is the highest bidder.
25. If the tenderer is the highest bidder, we will inform him/her of the tender result for leasing of commercial premises within 25 days of the closing date of tender invitation.

Commercial Premises/Non-domestic Premises Tenants

26. We will vet from Landlord's role and approve tenants' applications for fitting-out works according to the following 3 classes, subject to the availability of requisite information -
 - Simple case :
 - No alteration of Building Services installations, structure, waterproofing, drainage, compartmentation, outlook of the building. To be completed within 10 days.
 - Normal case :
 - Considerable amount of building works, relocation of internal partitions, forming of openings in floor or wall. To be completed within 20 days.
 - Complicated case :
 - Involved major building works, additional floor or wall, installation of heavy machine or equipment. To be completed within 30 days.

(The above time frames exclude the time required for processing by the Department's Independent Checking Unit for fitting-out works which involve alteration and addition. For details, please refer to PPs 28-33)

27. We will provide tenants with new rent and new tenancy terms 3 months before expiry of the existing tenancies if renewal is approved.

HOS/TPS Flat Owners/ Non-domestic Premises Applicants/ Tenants (about building control matters)

28. We will process and advise on plans
- for alteration and addition (A&A) works within 60 days.
 - for re-submissions for A&A works within 30 days.
29. We will process and advise on applications for consent to commence alteration and addition works within 28 days.
30. We will advise on restaurant license applications under the Application Vetting Panel system within 12 working days.
31. We will respond to emergencies relating to buildings and building works during office hours :
- within 1.5 hours for cases in urban areas;
 - within 2 hours for cases in new towns in New Territories and Lantau Island;
 - within 3 hours for cases in other areas.
32. We will respond to emergencies relating to buildings and building works outside office hours :
- within 2 hours for cases in urban areas and new towns in New Territories and Lantau Island;
 - within 3 hours for cases in other areas
33. We will provide non-emergency services for reports on unauthorized building works under construction within 48 hours.

(The above pledges No. 28-33 are provided by the Department's Independent Checking Unit responsible for building control duties under delegated authority by Buildings Department in Home Ownership/Tenants Purchases Scheme buildings as well as retail and car parking premises and some public rental housing estate after the divestment of HA's commercial premises in 2005.)

Works and Services Contractors

34. Upon receipt of a complete set of information from the applicant for admission onto HA's List of Works Contractors and Property Management Services Providers, the processing shall be completed within 3 months.

General public

35. We will provide an interim reply within 10 days of receipt of complaint and enquiry cases
36. We will provide a substantive reply within 21 days of receipt of complaint and enquiry cases. If we cannot provide a substantive reply within 21 days, we will keep you informed of the progress on or before the substantive reply due date and on a monthly basis.
37. Voice mails left to Housing Authority Hotline will be replied within 24 hours.
38. All telephone calls to Housing Authority Hotline will be answered by the hotline system within 20 seconds.

Section C

Chapter 3: Public Enquiry Service

Enquiry service is available at estate offices, property services management offices, district tenancy management offices, commercial properties management unit, the Hong Kong Housing Authority Customer Service Centre and the Housing Information Centre. Tenants or members of the public can also dial the following hotlines to enquire about our services:

24-Hour Service

Housing Authority Hotline	2712 2712
Housing Authority Sales Hotline	2712 8000
Housing Authority Rent Enquiry Hotline	2712 0660
Faxline	2624 5685

(The above hotlines handle enquiries on general housing policies, provide information on applications for public housing and subsidised home ownership scheme, and agent answering services available from 8:30am to 7pm everyday to receive comments and complaints.)

E-mail: hkha@housingauthority.gov.hk

During Normal Office Hours

HOS Secondary Market Scheme	3162 0680
Public Rental Housing Application of Elderly	2794 5134
Letting of Promotion Venue	2794 5661
Sham Shui Po Housing Information Centre	2779 4069
Letting of Commercial Premises	2711 5138