

Legislative Council Panel on Housing

Marking Scheme for Estate Management Enforcement in Public Housing Estates

Purpose

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

Background

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

3. At the Legislative Council Panel on Housing meeting in February 2012, we briefed Members on the proactive measures taken by the Housing Department (HD) to deter smoking in estate common areas, unauthorised dog keeping and throwing objects from height. This Paper provides an update on the Marking Scheme as well as the initiatives to address the problem of unauthorised dog keeping and throwing objects from height, which are of particular concern to PRH tenants.

Overall Enforcement Results

4. Being an effective mechanism to curb misdeeds related to hygiene and estate management, the Marking Scheme has been generally well received by tenants. The results of the Public Housing Recurrent Survey 2012 show that 96% of the tenants are aware of the Marking Scheme and some 64% of them considered the penalties to be reasonable. Tenants' satisfaction level towards the overall cleanliness and hygienic conditions of estate common areas increased

to 73%, compared with 46% and 52% in 2002 and 2003 respectively.

5. Up to end 2012, there were some 20 100 point-allotment cases involving about 18 200 households, with about 4 480 cases (22%) remaining valid. The misdeeds of ‘Smoking or carrying a lighted cigarette in estate common area’ and ‘Littering’ continued to be the most frequently committed offences, which involved 7 120 and 5 880 cases respectively. Notwithstanding this, the point allotment cases for these two misdeeds have significantly dropped from some 1 300 and 400 in 2009 to 960 and 160 in 2012 respectively as a result of the deterrent effect achieved through on-going enforcement actions as well as intensified publicity. In a similar vein, the number of ‘Spitting’ cases has also dropped from some 90 in 2009 to 14 in 2012.

6. About 1 170 households out of 20 100 point-allotment cases have accrued ten points or more for committing two or more misdeeds and 57 households have accrued 16 points or above. Among these 57 households, the HA has issued a total of 42 NTQs, approved the withholding of the issuance of NTQs on 12 cases on special grounds and recovered three voluntarily surrendered PRH flats.

Throwing objects from height

7. The misdeed of “throwing objects from height”, carrying seven points, has been included in the Marking Scheme since 2003. Starting from 2006, to further deter throwing objects from height, tenants would be allotted seven or 15 penalty scores depending on the seriousness of the misdeed. Seven points will be allotted to cases with throwing objects jeopardizing environmental hygiene and 15 points to throwing objects that may cause minor danger or personal injury. In addition, for offences that may cause serious danger or personal injury, the HA would immediately terminate the tenancy of the subject household pursuant to the Housing Ordinance.

8. After the adoption of the proactive measures^{Note 1} in 2009, the HD allotted seven and 15 points to some 200 and ten households respectively for committing misdeeds in 2012, comparing to some 80 and ten correspondingly in 2009. Among them, two households were issued with an NTQ. The HD will continue its efforts in this aspect.

^{Note 1} The measures include (i) publicity through Housing Channel, poster, partnering functions by Estate Management Advisory Committees and Non-governmental Organisations to promote the message of anti-throwing objects from height; (ii) deployment of Mobile Digital Closed Circuit Television sets, Mobile Surveillance System sets and Special Operation Teams to detect suspected offenders; and (iii) intensified patrols and inspections by estate staff under the monitoring of a Task Force set up at Headquarters level.

Control of dog keeping

9. Since PRH estates are densely populated, dog keeping will cause adverse effect to the environmental hygiene. Under the existing policy, tenants are not allowed to keep dogs, except (i) permitted dogs under the 'Temporary Permission Rule' (TPR); (ii) service dogs for the visually impaired tenants; and (iii) tenants with strong special needs for the companionship of dog for mental support. Those tenants found keeping dogs without permission will be allotted five penalty points without warning.

10. To maintain a decent and quiet living environment in PRH estates, we have implemented a series of enhanced measures ^{Note 2} to tackle unauthorised dog keeping since end 2009. Pursuant to the Report on "Control of Pet Animals" issued by the Audit Commission in March 2010, the Agriculture, Fisheries and Conservation Department has been transferring the licensing information of the dog owners living in PRH estates to the HD for data matching. Given the enhanced measures, we have allotted penalty points to some 470 tenants for unauthorised dog keeping in 2012 and further reduced the number of TPR dogs to 5 500.

Way Forward

11. The implementation of the Marking Scheme enhances estate management and improves environmental hygiene. It has been favourably received and is supported by PRH tenants. We will continue to implement proactive measures to deter misdeeds such as throwing objects from height and unauthorised dog keeping. We will also step up publicity through Estate Management Advisory Committees, Housing Channel, estate newsletters, posters and notices to educate tenants to sustain a decent living environment in PRH estates.

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

Transport and Housing Bureau February 2013

^{Note 2} The enhanced measures include more stringent control on dog licence renewal required under the TPR, intensified patrol and enforcement actions by staff at the estate level and the Special Operation Teams at Regional Headquarters level, and enhanced publicity.

List of Misdeeds under the Marking Scheme

Category A (3 penalty points)

A1*	Drying clothes in public areas (except in areas designated by the HD)
A2*	Hanging floor mop outside the window or balcony
A3*	Putting dripping flower pots or dripping laundry at balconies
A4*	Dripping oil from exhaust fan

Category B (5 penalty points)

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

Category C (7 penalty points)

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

Category D (15 penalty points)

D1	Throwing objects from height that may cause danger or personal injury
----	---

* Warning System is in place for these misdeeds. Penalty points will only be allotted if the offender ignores one written warning and repeats the same misdeed for the second time and onwards.