

**For discussion
on 9 May 2017**

Legislative Council Panel on Housing

Marking Scheme for Estate Management Enforcement in Public Housing Estates

Purpose

This paper updates Members on the latest position of the implementation of the Marking Scheme for Estate Management Enforcement in Public Housing Estates (the Marking Scheme).

Background

2. In 2003, the Hong Kong Housing Authority (HA) implemented the Marking Scheme to strengthen control against hygiene-related misconduct in public rental housing (PRH) estates, and to promote civic responsibility among tenants and authorised occupants. At present, the Marking Scheme covers 28 common misdeeds affecting environmental hygiene and estate management (see [Annex 1](#) for details). Tenants and authorised occupants who are found to have committed misdeeds in the estates where they reside will be allotted points, which will be valid for two years. If a tenant accumulates 16 valid points, HA will issue a Notice-to-quit (NTQ) to the tenant to terminate the tenancy.

Overall effectiveness of implementation

3. Since the implementation of the Marking Scheme, the environmental hygiene of PRH estates has been substantially improved. Therefore, the Marking Scheme is well assured and supported by PRH tenants. According to the 2016 Public Housing Recurrent Survey, a vast majority (94%) of tenants were aware of the Marking Scheme. The level of satisfaction of the overall cleanliness and hygienic condition of estate common areas has substantially increased to 70%, in comparison with 46% and 52% in 2002 and 2003 respectively, before the Marking Scheme was implemented.

4. After the implementation of the Marking Scheme, as at December 2016, 29 722 point-allotment cases involving 26 164 households have been recorded (see **Annex 2**). Among them, points allotted in 4 352 cases (15%) remain valid. There were 78 households accrued 16 or more valid points, of which three had surrendered their PRH units voluntarily, 61 received NTQs and 14 had their NTQs withheld based on special grounds.

Misdeeds to which warning system is applicable

5. In order to encourage offending tenants to promptly rectify their undesirable habits, HA has put in place a warning system for 12 misdeeds, of which the offenders will first receive a written warning. Points will only be allotted to the offenders if they relapse into the same misdeed. In 2016, HA issued written warnings to 317 tenants, among which 96 relapsed. In other words, a majority of the households had rectified the relevant misdeeds after receiving warnings, which demonstrated the effectiveness of the warning system in promoting civic education among tenants.

Misdeeds to which warning system is not applicable

6. Regarding the 16 misdeeds to which the warning system is not applicable, the total number of point-allotment cases has dropped 10% from 2 374 in 2015 to 2 131 in 2016. Among those 2 131 cases, 1 041 are related to “smoking in estate common area”, 552 are about “keeping animal, bird or livestock inside leased premises without prior written consent of the Landlord” and 127 are about “throwing objects from height that jeopardise environmental hygiene”. These are the most commonly committed misdeeds and have a wider adverse impact on living environment and public safety. Follow-up actions taken by the Housing Department (HD) in relation to these three areas are elaborated below.

Smoking in estate common area

7. Smoking or carrying a lighted cigarette in estate common area is a misdeed under the Marking Scheme. Tenants who are found smoking in the estates they reside will be allotted five points. For those who are found smoking in a statutory no-smoking area in the estate they reside, HD will issue a Fixed Penalty Notice to them pursuant to the Fixed Penalty (Smoking Offences) Ordinance (Cap. 600) enacted in September 2009, besides allotting points. Apart from enforcement actions taken by estate management staff, HA has deployed a Special Operation Team formed by HD staff in each Estate Management Region to take actions against such misdeeds.

Keeping dogs inside leased premises

8. Dog keeping may impact environmental hygiene and create nuisance to tenants in densely populated PRH estates. Therefore, dog keeping is prohibited in PRH estates except for (a) permitted dogs under the Temporary Permission Rule (TPR)¹ and (b) service dogs². Tenants found keeping dogs without permission will be allotted five points without warning. The number of point-allotment cases of this misdeed has dropped from 602 in 2015 to 552 in 2016. The number of TPR dogs has also reduced from 13 300 in 2003 to 1 600 in 2016. HA will continue monitoring unauthorised dog keeping from time to time and enhancing publicity, to maintain a quiet and clean living environment in PRH estates.

Throwing objects from height

9. Regarding throwing objects from height, offenders will be allotted seven or 15 points, or receive direct termination of tenancy according to the seriousness of incident.

10. In order to tackle this misdeed effectively, HD has adopted a three-pronged approach since 2009. Relevant measures include (i) promoting the message of do not throw objects from height through the Housing Channel, posters and partnering functions by Estate Management Advisory Committees and Non-Governmental Organisations; (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 at regional level. With HD's persistent effort, the number of point-allotment cases in relation to this misdeed has decreased from 210 in 2010 to 127 in 2016.

Way Forward

11. The implementation of the Marking Scheme has been well assured and supported by PRH tenants. HD will continue to implement proactive measures to address the misdeeds and step up publicity through different channels, in order to promote tenants' sense of civic responsibility and maintain a decent living environment in PRH estates.

¹ The Subsidised Housing Committee of the Housing Authority endorsed the implementation of a one-off TPR in 2003, allowing tenants to continue keeping small dogs which were already kept in PRH units before 1 August 2003 until the dogs' natural death.

² Service dogs include guide dogs for visually impaired tenants and companion dogs for tenants who have strong special needs for mental support.

12. Members are invited to note the latest position of the implementation of the Marking Scheme and provide your views.

Transport and Housing Bureau
April 2017

List of Misdeeds under the Marking Scheme

Category A (3 penalty points)

A1*	Drying clothes in public areas (except in areas designated by Housing Department (HD))
A2*	Hanging floor mop outside the window or balcony
A3*	Putting dripping object at window, balcony or façade
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 jeopardize 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 HD
C6*	Refusing repair of leaking pipes or sanitary fittings responsible by the tenant
C7*	Damaging down/sewage pipes causing leakage to the flat below
C8	Using leased premises as food factory or storage
C9	Illegal hawking of cooked food
C10	Damaging or stealing Housing Authority's property
C11*	Accumulating a large quantity of refuse or waste inside leased premises, creating offensive smell and hygienic nuisance
C12	Using leased premises for illegal purpose

Category D (15 penalty points)

D1	Throwing objects from height that may cause danger or personal injury
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* Under the Warning System in place for these misdeeds, first offenders will receive a written warning. HD will allot points if an offender ignores one written warning and repeats the same misdeed for the second time and onwards.

**Summary of the Marking Scheme for
Estate Management Enforcement**

Category of Misdemeanors		2014		2015		2016		Cumulative figure since the implementation of the Marking Scheme*	
		Warning issued	Points allotted Case#	Warning issued	Points allotted Case#	Warning issued	Points allotted Case#	Warning issued	Points allotted Case#
A1	Drying clothes in public areas (except in areas designated by Housing Department (HD))	54	9	48	15	60	7	806	36
A2	Hanging floor mop outside the window or balcony	2	0	1	0	2	0	1 770	2
A3	Putting dripping object at window, balcony or façade	9	4	51	7	30	4	645	41
A4	Dripping oil from exhaust fan	0	0	1	0	0	0	25	0
B1	Littering	-	140	-	161	-	137	-	6 451
B2	Disposing of domestic refuse indiscriminately, such as improper disposal in lift lobbies or inside bins without cover	-	6	-	3	-	9	-	42
B3	Keeping animal, bird or livestock inside leased premises without prior written consent of the Landlord	-	569	-	602	-	552	-	5 064
B4	Allowing animal and livestock under charge to foul public places with faeces	-	0	-	1	-	0	-	3
B7	Obstructing corridors or stairs with sundry items rendering cleansing difficult	10	7	28	6	22	8	1 921	44
B8	Boiling wax in public areas	-	0	-	0	-	0	-	0
B9	Causing mosquito breeding by accumulating stagnant water	0	0	0	0	1	0	2	1
B10	Smoking or carrying a lighted cigarette in estate common area	-	1 307	-	1 159	-	1 041	-	11 617
B11	Causing noise nuisance	3	5	1	3	12	11	155	101
B12	Illegal gambling in public places	-	246	-	262	-	233	-	2 454
B13	Water dripping from air-conditioner	73	19	341	18	137	25	918	110
C1	Throwing objects from height that jeopardize environmental hygiene	-	155	-	126	-	117	-	1 441
C2	Spitting in public areas	-	10	-	7	-	12	-	1 463
C3	Urinating and defecating in public places	-	0	-	1	-	6	-	20
C4	Dumping or disposing of decoration debris indiscriminately at refuse collection point, within building or in other public areas	-	2	-	1	-	1	-	6
C5	Denying HD staff or staff representing HD entry for repairs responsible by HD	14	11	19	15	42	31	179	111

Category of Misdeeds		2014		2015		2016		Cumulative figure since the implementation of the Marking Scheme*	
		Warning issued	Points allotted Case#	Warning issued	Points allotted Case#	Warning issued	Points allotted Case#	Warning issued	Points allotted Case#
C6	Refusing repair of leaking pipes or sanitary fittings responsible by the tenant	0	0	0	0	3	0	29	3
C7	Damaging down/sewage pipes causing leakage to the flat below	0	0	0	0	0	0	15	1
C8	Using leased premises as food factory or storage	-	0	-	0	-	0	-	8
C9	Illegal hawking of cooked food	-	3	-	0	-	0	-	48
C10	Damaging or stealing Housing Authority's property	-	3	-	1	-	2	-	41
C11	Accumulating a large quantity of refuse or waste inside leased premises, creating offensive smell and hygienic nuisance	6	10	14	15	8	10	254	206
C12	Using leased premises for illegal purpose	-	21	-	30	-	11	-	280
D1	Throwing objects from height that may cause danger or personal injury	-	15	-	20	-	10	-	128
Total		171	2542	504	2453	317	2227	6 719	29 722

* The cumulative figures are for the period from 1 August 2003, when the Marking Scheme was implemented, to 31 December 2016.

Allotted points will be purged upon the expiry of a two-year validity period.