

**For discussion
on 7 May 2018**

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) by the Hong Kong Housing Authority (HA); and briefs Members on HA's trial scheme for allowing public rental housing (PRH) tenants to become foster families keeping guide dog puppies under training, in response to Members' concern raised in the earlier discussion on the Marking Scheme.

The Marking Scheme

Background

2. HA implemented the Marking Scheme in 2003 to strengthen control against hygiene-related misconduct in PRH estates, and promote civic responsibility among tenants and authorised occupants. Currently, 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 their residing estates will be allotted points, which will be valid for two years. If a tenant accumulates 16 valid points within two years, HA will issue a Notice-to-quit (NTQ) terminating the tenant's tenancy.

Effectiveness of implementation

3. The Marking Scheme is regarded as an effective management measure in PRH curbing misdeeds relevant to environmental hygiene and estate management, and has been widely recognised and supported by PRH tenants. According to the 2017 Public Housing Recurrent Survey, a vast majority of tenants (95%) 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 72% in 2017, in comparison with 46% in 2002 before the implementation of the Marking Scheme.

4. After the implementation of the Marking Scheme, as at end December 2017, we have recorded 32 075 point-allotment cases involving 28 062 households (see **Annex 2**). Among these households, 4 246 (15%) still carry valid points. There were 84 households accrued 16 or more valid points, among which three had surrendered their PRH units voluntarily, 66 received NTQs and 15 had their NTQs withheld on special grounds.

5. For the 12 misdeeds with warning system, the total number of written warnings issued has decreased from 504 and 317 in 2015 and 2016 respectively to 205 in 2017. Regarding the 16 misdeeds to which the warning system is not applicable, the numbers of point-allotment cases for most misdeeds are similar to those of last year. A majority of the point-allotment cases involved three misdeeds, i.e., “smoking in estate common area”, “unauthorised animal keeping” and “throwing objects from height”, which are having a stronger impact on public safety or environmental hygiene. Details are further elaborated below.

Smoking in estate common area

6. Smoking or carrying a lighted cigarette in estate common area is a misdeed under the Marking Scheme. Offenders will be allotted five points. For those tenants who are found smoking in a statutory no-smoking area in the estates they reside, the Housing Department (HD) will issue Fixed Penalty Notices to them pursuant to the Fixed Penalty (Smoking Offences) Ordinance (Cap. 600) enacted in September 2009, in addition to allotting points. In order to step up the efforts in combating these misdeeds, apart from estate

management staff, HA has deployed Special Operation Teams¹ to PRH estates to take enforcement and control actions.

Keeping dogs inside leased premises

7. PRH estates are densely populated. Unauthorised dog keeping may adversely impact the environmental hygiene and create nuisance to tenants. Therefore, the tenancy agreement has stipulated that keeping of dogs or livestock is not allowed without HA's prior written consent. In general, dog keeping is prohibited in PRH estates except for (i) permitted dogs under the Temporary Permission Rule (TPR)² and (ii) service dogs³. Tenants found keeping dogs without permission will be allotted five points without warning. The number of point-allotment cases for this misdeed was 595 in 2017. The number of TPR dogs has reduced from about 13 300 in 2003 to about 1 200 by end-December 2017.

Throwing objects from height

8. Offenders of throwing objects from height will be allotted seven or 15 points, or subject to direct termination of tenancy, according to the seriousness of the incident. There were 163 point-allotment cases for such misdeed in 2017. HA will continue to adopt measures combating this misdeed, including (i) promoting the message against throwing objects from height through the Housing Channel, posters and partnering functions by Estate Management Advisory Committees (EMACs) 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, in order to provide a safe living environment for tenants.

¹ Special Operation Teams are formed by the Housing Department's staff with the view to stepping up the enforcement actions against misdeeds under the Marking Scheme. There is one Special Operation Team in each Estate Management Region.

² HA's Subsidised Housing Committee endorsed the arrangement 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.

³ Service dogs include guide dogs for visually impaired tenants, and companion dogs for tenants who have strong special needs for mental support.

Trial scheme for keeping guide dog puppies

9. During the discussion relevant to the Marking Scheme at the meeting of the Legislative Council Panel on Housing on 9 May 2017, Members suggested HD to consider allowing PRH tenants to keep guide dog puppies under training in their PRH units. There are also suggestions in the society for the Government to provide better rehabilitation services for visually impaired persons through the provision of guide dog services; and assist guide dog puppies under training to adapt to the living environment of PRH estates, so as to facilitate their future matching with users in PRH estates.

10. In response to such suggestions, HD launched a trial scheme for keeping guide dog puppies in early 2018. The trial scheme aims to review: (i) whether the environment of PRH estates is suitable for keeping and training guide dog puppies; (ii) PRH tenants' level of acceptance towards the trial scheme; (iii) whether the trial scheme creates any nuisance to PRH tenants; and (iv) whether management measures can solve relevant problems effectively.

11. The trial scheme has commenced. Under the scheme, two main guide dog organisations providing guide dog services for visually impaired persons⁴ have preliminarily recommended eight PRH estates⁵ suitable for the implementation. The organisations will meet with the EMACs of these estates, brief them on the scheme, and appeal for their support. After collecting EMACs' views, the two organisations will select two tenants from the eight estates as voluntary guide dog puppy foster families.

12. HD expects to give permission to the selected foster families for keeping guide dog puppies under training in their PRH units for around one year in mid-2018.

⁴ The Hong Kong Guide Dog Association and the Hong Kong Seeing Eye Dogs Service.

⁵ The eight estates are: Tsui Ping South Estate, Lower Ngau Tau Kok Estate, Sau Mau Ping Estate, Kwai Chung Estate, Yee Ming Estate, Oi Tung Estate, Yau Tong Estate and Shek Kip Mei Estate.

Way Forward

13. HA will continue to implement proactive measures to curb misdeeds under the Marking Scheme, and step up publicity through different channels, in order to promote tenants' sense of civic responsibility and maintain a quiet and decent living environment in PRH estates. Upon completion of the initial trial scheme for keeping guide dog puppies, HD will review and formulate the way forward on the implementation of the scheme.

14. Members are invited to note the latest position of the implementation of the Marking Scheme and the trial scheme for keeping guide dog puppies.

Transport and Housing Bureau
April 2018

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 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 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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* A Warning System is in place for these misdeeds. First-time offenders will receive a written warning; HD will allot points if an offender commits the same misdeed for a second time or again thereafter.

Summary of the Marking Scheme for Estate Management Enforcement

Category of Misdeeds		2015		2016		2017		Cumulative figure since the implementation of the Marking Scheme*	
		Warning issued	Point-allotted Case [#]	Warning issued	Point-allotted Case [#]	Warning issued	Point-allotted Case [#]	Warning issued	Point-allotted Case [#]
A1	Drying clothes in public areas (except in areas designated by Housing Department (HD))	48	15	60	7	15	9	821	45
A2	Hanging floor mop outside the window or balcony	1	0	2	0	2	0	1 772	2
A3	Putting dripping object at window, balcony or façade	51	7	30	4	16	5	661	46
A4	Dripping oil from exhaust fan	1	0	0	0	0	0	25	0
B1	Littering	-	161	-	137	-	141	-	6 592
B2	Disposing of domestic refuse indiscriminately, such as improper disposal in lift lobbies or inside bins without cover	-	3	-	9	-	3	-	45
B3	Keeping animal, bird or livestock inside leased premises without prior written consent of the Landlord	-	602	-	552	-	595	-	5 659
B4	Allowing animal and livestock under charge to foul public places with faeces	-	1	-	0	-	0	-	3
B7	Obstructing corridors or stairs with sundry items rendering cleansing difficult	28	6	22	8	15	5	1 936	49
B8	Boiling wax in public areas	-	0	-	0	-	0	-	0
B9	Causing mosquito breeding by accumulating stagnant water	0	0	1	0	0	0	2	1
B10	Smoking or carrying a lighted cigarette in estate common area	-	1 159	-	1 041	-	1 104	-	12 721
B11	Causing noise nuisance	1	3	12	11	10	11	165	112
B12	Illegal gambling in public places	-	262	-	233	-	214	-	2 668
B13	Water dripping from air-conditioner	341	18	137	25	113	35	1 031	145
C1	Throwing objects from height that jeopardise environmental hygiene	-	126	-	117	-	154	-	1 595
C2	Spitting in public areas	-	7	-	12	-	17	-	1 480
C3	Urinating and defecating in public places	-	1	-	6	-	2	-	22
C4	Dumping or disposing of decoration debris indiscriminately at refuse collection point, within building or in other public areas	-	1	-	1	-	1	-	7

Category of Misdemeanors		2015		2016		2017		Cumulative figure since the implementation of the Marking Scheme*	
		Warning issued	Point-allotted Case [#]	Warning issued	Point-allotted Case [#]	Warning issued	Point-allotted Case [#]	Warning issued	Point-allotted Case [#]
C5	Denying HD staff or staff representing HD entry for repairs responsible by HD	19	15	42	31	18	9	197	120
C6	Refusing repair of leaking pipes or sanitary fittings responsible by the tenant	0	0	3	0	0	0	29	3
C7	Damaging down/sewage pipes causing leakage to the flat below	0	0	0	0	1	0	16	1
C8	Using leased premises as food factory or storage	-	0	-	0	-	1	-	9
C9	Illegal hawking of cooked food	-	0	-	0	-	1	-	49
C10	Damaging or stealing Housing Authority's property	-	1	-	2	-	8	-	49
C11	Accumulating a large quantity of refuse or waste inside leased premises, creating offensive smell and hygienic nuisance	14	15	8	10	15	13	269	219
C12	Using leased premises for illegal purpose	-	30	-	11	-	16	-	296
D1	Throwing objects from height that may cause danger or personal injury	-	20	-	10	-	9	-	137
Total		504	2 453	317	2 227	205	2 353	6 924	32 075

* The cumulative figures are for the period from 1 August 2003, when the Marking Scheme was implemented, to 31 December 2017.

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

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