

**For discussion
on 6 May 2019**

Legislative Council Panel on Housing

Marking Scheme for Estate Management Enforcement in Public Housing Estates

Purpose

This paper updates Members on the latest positions 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 the trial scheme for allowing public rental housing (PRH) tenants to become foster families keeping guide dog puppies.

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 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.

4. After the implementation of the Marking Scheme, as at end-December 2018, HA has recorded 34 786 point-allotment cases involving 30 212 households (see **Annex 2**). Among these households, 4 682 (15%) still carry valid points. There were 90 households accrued 16 or more valid points, among which three had surrendered their PRH units voluntarily, 72 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 gradually decreased from 317 in 2016 to 205 and 192 in 2017 and 2018 respectively. 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. Among which, three misdeeds, namely, “smoking in estate common area”, “throwing objects from height” and “unauthorised animal keeping”, constituted a larger portion of the point-allotment cases, and have a more severe adverse impact on environmental hygiene and public safety. Details are 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. Tenants found smoking in a statutory no-smoking area in the estates they reside will, in addition to allotting points, be issued a Fixed Penalty Notices by the Housing Department pursuant to the Fixed Penalty (Smoking Offences) Ordinance (Cap. 600) which was enacted in September 2009. In order to continue combating such misdeed, apart from estate management staff, HA has deployed Special Operation Teams¹ to PRH estates to take enforcement and control actions. Related point-allotment cases have increased from 1 104 in 2017 to 1 404 in 2018.

Throwing objects from height

7. Throwing objects from height has been one of the major concerns of PRH tenants as it not only jeopardises environmental hygiene, but also endangers their safety. To prohibit acts of throwing objects from height by PRH residents, HA will, under the Marking Scheme, allot seven or 15 points to tenants who commit the misdeed, depending on the seriousness of the incident. For offences that cause serious danger or personal injury, HA will terminate the tenancy of the household concerned immediately pursuant to section 19(1)(b) of the Housing Ordinance.

8. To effectively tackle this misdeed and safeguard public safety, HA has been adopting proactive measures² since 2009. In response to the concerns raised by the Members in earlier discussions about the Marking Scheme, HA has

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

² The measures include (i) promoting the message against throwing 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.

increased the number of surveillance systems from 191 to 327 in 2018, in order to enhance the monitoring of throwing objects from height. There was a slight increase in point-allotment cases from 163 in 2017 to 167 in 2018.

Keeping dogs inside leased premises

9. PRH estates are densely populated. Unauthorised dog keeping may cause adverse impact to the environmental hygiene and create nuisance to tenants. Therefore, the tenancy agreement has stipulated that keeping 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)³ and (ii) service dogs⁴. Tenants found keeping dogs without permission will be allotted five points without warning. There were 553 point-allotment cases for this misdeed in 2018. The number is similar to the past two years. By end-December 2018, the number of TPR dogs has reduced from about 13 300 in 2003 to about 500.

Progress of the trial scheme for keeping guide dog puppies

10. HD launched a trial scheme for keeping of guide dog puppies in PRH estates in early-2018 in view of the growing public awareness of the development of guide dog services. The two participating guide dog organisations⁵ have conducted briefings to the Estate Management Advisory Committees of the relevant PRH estates and arranged publicity. By now, the two organisations have each selected a foster-family. The families will provide foster care to the puppies for about one year once suitable puppies are available.

Way Forward

11. HA will continue to take 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. In addition, HD would review the trial scheme for keeping guide dog puppies to decide on the way forward.

³ 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.

⁴ Service dogs include guide dogs for visually impaired tenants, and companion dogs for tenants who have strong special needs for mental support.

⁵ The Hong Kong Guide Dogs Association Limited and the Hong Kong Seeing Eye Dog Services; both are major guide dog organisations providing guide dog services to the visually impaired.

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

Transport and Housing Bureau
April 2019

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 offenders will receive a written warning; HD will allot points if an offender commits the same misdeed for a second time or again thereafter.

^ 14 misdeeds applicable to PRH units in Tenants Purchase Scheme and Buy-or-Rent Option Estates.

Summary of the Marking Scheme for Estate Management Enforcement

Category of Misdeeds		2016		2017		2018		Cumulative figure since the implementation of the Marking Scheme*	
		Warning issued	Point-allotment case	Warning issued	Point-allotment case	Warning issued	Point-allotment case	Warning issued	Point-allotment case
A1	Drying clothes in public areas (except in areas designated by Housing Department (HD))	60	7	15	9	46	7	867	52
A2	Hanging floor mop outside the window or balcony	2	0	2	0	2	0	1 774	2
A3	Putting dripping object at window, balcony or façade	30	4	16	5	15	5	676	51
A4	Dripping oil from exhaust fan	0	0	0	0	1	0	26	0
B1	Littering	-	137	-	141	-	242	-	6 834
B2	Disposing of domestic refuse indiscriminately, such as improper disposal in lift lobbies or inside bins without cover	-	9	-	3	-	4	-	49
B3	Keeping animal, bird or livestock inside leased premises without prior written consent of the Landlord	-	552	-	595	-	553	-	6 212
B4	Allowing animal and livestock under charge to foul public places with faeces	-	0	-	0	-	0	-	3
B7	Obstructing corridors or stairs with sundry items rendering cleansing difficult	22	8	15	5	17	7	1 953	56
B8	Boiling wax in public areas	-	0	-	0	-	0	-	0
B9	Causing mosquito breeding by accumulating stagnant water	1	0	0	0	0	0	2	1
B10	Smoking or carrying a lighted cigarette in estate common area	-	1 041	-	1 104	-	1 404	-	14 125
B11	Causing noise nuisance	12	11	10	11	6	6	171	118
B12	Illegal gambling in public places	-	233	-	214	-	213	-	2 881
B13	Water dripping from air-conditioner	137	25	113	35	70	27	1 101	172
C1	Throwing objects from height that jeopardise environmental hygiene	-	117	-	154	-	146	-	1 741
C2	Spitting in public areas	-	12	-	17	-	13	-	1 493
C3	Urinating and defecating in public places	-	6	-	2	-	1	-	23
C4	Dumping or disposing of decoration debris indiscriminately at refuse collection point, within building or in other public areas	-	1	-	1	-	2	-	9

Category of Misdeeds		2016		2017		2018		Cumulative figure since the implementation of the Marking Scheme*	
		Warning issued	Point-allotment case	Warning issued	Point-allotment case	Warning issued	Point-allotment case	Warning issued	Point-allotment case
C5	Denying HD staff or staff representing HD entry for repairs responsible by HD	42	31	18	9	33	33	230	153
C6	Refusing repair of leaking pipes or sanitary fittings responsible by the tenant	3	0	0	0	0	0	29	3
C7	Damaging down/sewage pipes causing leakage to the flat below	0	0	1	0	0	0	16	1
C8	Using leased premises as food factory or storage	-	0	-	1	-	0	-	9
C9	Illegal hawking of cooked food	-	0	-	1	-	0	-	49
C10	Damaging or stealing Housing Authority's property	-	2	-	8	-	3	-	52
C11	Accumulating a large quantity of refuse or waste inside leased premises, creating offensive smell and hygienic nuisance	8	10	15	13	2	15	271	234
C12	Using leased premises for illegal purpose	-	11	-	16	-	9	-	305
D1	Throwing objects from height that may cause danger or personal injury	-	10	-	9	-	21	-	158
Total		317	2 227	205	2 353	192	2 711	7 116	34 786

* The cumulative figures are for the period from 1 August 2003, when the Marking Scheme was implemented, to 31 December 2018.

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