

General Housing Policies

on

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

**Compiled by Estate Management Division
Housing Department
1 April 2021**

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 Hong Kong Housing Authority at path: <http://www.housingauthority.gov.hk/en/about-us/policy-focus/policies-on-public-housing/index.html> 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 –

(in alphabetical order)	Estate Office/ Interim Housing Office Telephone No.	District Tenancy Management Office Telephone No.	Property Services Management Office (HD) Telephone No.
Ap Lei Chau Estate	2554 4941		
Butterfly Estate	2463 6271	2463 6271	
Chai Wan Estate	2234 7931	2897 7479	2234 7931
Chak On Estate	2778 2628		
Cheung Ching Estate	2495 2224	2431 0305	2495 2224
Cheung Fat Estate*	2433 0277	2109 0277	2433 0277
Cheung Hang Estate	2495 5225	2431 0305	2495 5225
Cheung Hong Estate	2495 1202		
Cheung Kwai Estate	2981 4658	3140 6400	2981 4658
Cheung Lung Wai Estate		2677 2002	2670 1997
Cheung On Estate*	2433 0277	2109 0277	2433 0277
Cheung Sha Wan Estate		2361 0070	2327 2775
Cheung Shan Estate	2493 5227	2423 7680	2493 5227
Cheung Wah Estate*		3698 0061	2682 1176
Cheung Wang Estate	2497 0277	2416 5341	2497 0277
Ching Ho Estate		2677 2002	2671 7939
Choi Fai Estate	2707 9978	2351 1818	2707 9978
Choi Fook Estate		2793 2303	3417 1090
Choi Ha Estate*		2349 1361	2246 9284
Choi Hung Estate	2320 3066		
Choi Ming Court**		2706 8201	3427 3000
Choi Tak Estate		3499 1194	2756 9990
Choi Wan (I) Estate	2750 7211		
Choi Wan (II) Estate	2755 0328	2351 1818	2755 0328

(in alphabetical order)	Estate Office/ Interim Housing Office Telephone No.	District Tenancy Management Office Telephone No.	Property Services Management Office (HD) Telephone No.
Choi Ying Estate		3499 1194	2331 2845
Choi Yuen Estate		2677 2002	2672 6927
Chuk Yuen (North) Estate*	2726 3111	2351 1818	2726 3111
Chuk Yuen (South) Estate	2327 8818	2351 1818	2327 8818
Chun Shek Estate	2698 1234		
Chun Yeung Estate		2697 7208	2658 0082
Chung On Estate		2694 4408	2643 5077
Easeful Court#	2433 1622	2423 7680	2433 1622
Fai Ming Estate		3698 0061	2612 2291
Fortune Estate		2361 0070	2204 1027
Fu Cheong Estate	2361 8181		
Fu Heng Estate*		2694 4408	2667 0055
Fu Shan Estate	2351 2115	2351 1818	2351 2115
Fu Shin Estate*		2694 4408	2665 8733
Fu Tai Estate		2644 0201	2453 7272
Fu Tung Estate	2109 0280	3140 6400	2109 0280
Fuk Loi Estate	2490 7834		
Fung Tak Estate*	3568 0086	2324 0096	3568 0086
Fung Wah Estate*	250 7266	2557 0115	2505 7266
Fung Wo Estate		2648 1312	2619 0880
Grandeur Terrace #	2786 3511	3152 2672	3401 8268
Hau Tak Estate		2701 3320	2706 0188
Heng On Estate*		2697 7208	2640 3113
High Prosperity Terrace#		3617 9201	2615 0690
Hin Keng Estate*		2648 1312	2278 4000
Hin Yiu Estate		2648 1312	2278 4000
Hing Man Estate	2558 6311		
Hing Tin Estate*		2772 6840	2177 6363
Hing Tung Estate	2657 8846	3160 4291	2567 8846
Hing Tung Estate (Tung Lam Court - HSC)	2886 1592	3160 4291	2886 1592
Hing Wah (I) Estate	2505 4228	2897 7479	2505 4228
Hing Wah (II) Estate	2557 0115		

(in alphabetical order)	Estate Office/ Interim Housing Office Telephone No.	District Tenancy Management Office Telephone No.	Property Services Management Office (HD) Telephone No.
Hoi Fu Court**		2625 4370	2625 4370
Hoi Lai Estate	2947 1368		
Hoi Tat Estate		2725 5750	2776 8366
Hoi Ying Estate		2361 0070	2566 9831
Homantin Estate		2242 0277	2176 4552
Hong Tung Estate	2513 1778	3160 4291	2513 1778
Hung Fuk Estate		2442 2461	2285 9755
Hung Hom Estate		2242 0277	2365 2387
Ka Fuk Estate		3698 0061	2677 0383
Kai Ching Estate		2382 3151	2426 9011
Kai Tin Estate		2772 6840	2346 1396
Kai Yip Estate	2757 3710		
Kam Peng Estate	2983 1522	3140 6400	2983 1522
Kin Ming Estate		2706 8201	3427 3000
Kin Sang Estate*		2465 0621	2465 1239
King Lam Estate*		2701 3320	2704 9356
Ko Cheung Court		2755 6613	3417 1128
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 Luen Estate		3617 9201	2668 0388
Kwai Shing (East) Estate		2421 2426	2428 3991
Kwai Shing (West) Estate	2426 4121		
Kwai Tusi Estate		2420 6987	2670 1021
Kwong Fuk Estate		2657 2808	2658 4430
Kwong Tin Estate		2772 6840	2349 8000
Kwong Yuen Estate*		2647 1311	2646 1801
Lai King Estate	2743 3814		
Lai Kok Estate	2361 0217		
Lai On Estate	2725 5750		
Lai Tsui Court (PRH)		2361 0217	2305 0238

(in alphabetical order)	Estate Office/ Interim Housing Office Telephone No.	District Tenancy Management Office Telephone No.	Property Services Management Office (HD) Telephone No.
Lai Yiu Estate		2420 6987	2745 0012
Lam Tin Estate	2769 8187		
Lee On Estate		2648 1312	2643 5038
Lei Cheng Uk Estate*		2361 0070	2728 2239
Lei Muk Shue (I) Estate (Yeung Shue, Toa Shue & Fung Shue House)	2418 2831	2423 7680	2418 2831
Lei Muk Shue (II) Estate (Block 1 – 6, Pak Shue, & Yung Shue House)	2423 7458		
Lei Muk Shue (II) Estate (Chung Shue, Chuk Shue & Kwai Shue House)	2418 2831	2423 7680	2418 2831
Lei Muk Shue Estate	2418 2831	2423 7680	2418 2831
Lei Tung Estate*	2871 2686	2814 8105	2871 2686
Lei Yue Mun Estate	2246 5500		
Lek Yuen Estate	2691 7128		
Leung King Estate*		2465 1212	2465 1239
Lin Tsui Estate	2568 2202	2558 0180	2568 2202
Lok Fu Estate	2336 5144		
Lok Wah (North) Estate	2755 5551		
Lok Wah (South) Estate	2755 6613		
Long Ching Estate		2442 2461	2451 6122
Long Ping Estate*		2442 2461	2470 5600
Long Shin Estate		2442 2461	2452 1168
Lower Ngau Tau Kok Estate		2349 4189	2711 2090
Lower Wong Tai Sin (1) Estate*	2726 5220	2326 8962	2726 5220
Lower Wong Tai Sin (2) Estate	2726 5675	2326 8962	2726 5675
Lung Hang Estate		2529 5178	2606 1073
Lung Tin Estate	2985 5807	3140 6400	2985 5807
Lung Yat Estate		2644 0201	2453 7333
Ma Hang Estate	2813 7963	2551 0660	2813 7963
Ma Tau Wai Estate		2242 0277	2715 6683
Mei Lam Estate		2699 3082	2604 9229

(in alphabetical order)	Estate Office/ Interim Housing Office Telephone No.	District Tenancy Management Office Telephone No.	Property Services Management Office (HD) Telephone No.
Mei Tin Estate		2699 3082	2693 0705
Mei Tung Estate (Mei Yan & Mei Tak House)	2338 0521		
Ming Tak Estate		2701 3320	2623 6553
Model Housing Estate	2562 4255		
Mun Tung Estate	2620 0147	3140 6118	2620 0147
Nam Cheong Estate*		2361 0070	2386 9311
Nam Shan Estate	2777 3161		
Nga Ning Court	2986 9496	3140 6400	2986 9496
Ngan Wan Estate	2984 7000	3140 6400	2984 7000
Oi Man Estate	2713 0121		
Oi Tung Estate	2513 1843	3160 4291	2513 1843
On Tai Estate	2981 0029		
On Tat Estate		2177 0162	2319 0821
On Tin Estate		3749 9440	2772 3201
On Ting Estate	3499 1841		
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 Heung Estate		2657 2808	3743 1494
Po Lam Estate*		2701 3320	2174 9348
Po Shek Wu Estate		2677 2002	2663 2326
Po Tat Estate		3749 9440	2243 7133
Po Tin Estate		2644 0201	2462 2430
Pok Hong Estate*		2648 1312	2647 0815
Sai Wan Estate	2817 2054	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*		2465 1212	3526 0435

(in alphabetical order)	Estate Office/ Interim Housing Office Telephone No.	District Tenancy Management Office Telephone No.	Property Services Management Office (HD) Telephone No.
Shatin Pass Estate	3563 5640	2325 0104	3563 5640
Shek Kip Mei Estate	2777 0280		
Shek Kip Mei Estate (Ph 2, 3, 5, 6 & 7)		2777 0280	2788 3120
Shek Lei (I) Estate		2420 6987	2420 6988
Shek Lei (II) & IH Estate		2420 6987	2489 0020
Shek Mun Estate		2697 7208	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 0969
Sheung Lok Estate	2768 7239	2713 0121	2714 1269
Sheung Tak Estate		2701 3320	2178 1113
Shin Ming Estate		2706 8201	2331 3102
Shui Chuen O	2661 3828 2868 2052		
Shui Pin Wai Estate		2442 2461	2479 4237
Shun Lee Estate		2341 8286	2341 8286
Shun On Estate		2342 8259	2342 8259
Shun Tin Estate	2797 2010		
Siu Sai Wan Estate	2557 7301	2897 7479	2557 7301
So Uk Estate		2385 2002	3709 7507
Sun Chui Estate	2698 8988		
Sun Tin Wai Estate		2648 1312	2604 6363
Tai Hang Tung Estate		2777 3161	2788 0078
Tai Hing Estate	2462 4601	2462 4601	
Tai Ping Estate*		2677 2002	2668 0528
Tai Wo Estate*		2657 2808	2656 2211
Tai Wo Hau Estate	2429 9446		
Tai Yuen Estate		2657 2808	2664 5238
Tak Long Estate		2383 0422	2856 6225
Tak Tin Estate*		2772 6840	2177 6363
Tin Chak Estate		3190 5130	2616 0806

(in alphabetical order)	Estate Office/ Interim Housing Office Telephone No.	District Tenancy Management Office Telephone No.	Property Services Management Office (HD) Telephone No.
Tin Ching Estate		2448 8633	3401 8578
Tin Heng Estate	2486 5000	2486 5000	
Tin King Estate*		2451 0321	2465 1239
Tin Ping Estate*		2677 2002	2672 0235
Tin Shui (I) Estate	2445 1645	2445 1645	
Tin Shui (II) Estate	2445 1645	2445 1645	
Tin Tsz Estate		2445 0418	2476 8449
Tin Wah Estate		2445 0418	2448 1723
Tin Wan Estate	2538 5016	2551 0660	2538 5016
Tin Yan Estate	3152 2672	3152 2672	
Tin Yat Estate		2445 1645	2486 3088
Tin Yiu (I) Estate		2445 0418	2448 1810
Tin Yiu (II) Estate		2445 0418	2448 1810
Tin Yuet Estate	2448 8863	2448 8863	
Tsing Yi Estate*	3105 2313	2431 0305	3105 2313
Tsui Lam Estate*		2701 3320	2706 7181
Tsui Lok Estate	2505 1454	2558 0180	2505 1454
Tsui Ping (North) Estate*		2793 2303	3101 8052
Tsui Ping (South) Estate		2793 2303	2772 5077
Tsui Wan Estate*	2505 0200	2897 7479	2505 0200
Tsz Ching Estate	2325 0104		
Tsz Hong Estate	2997 5151	2324 0096	2997 5151
Tsz Lok Estate	2323 1787	2324 0096	2323 1787
Tsz Man Estate	2324 4176	2324 0096	2324 4176
Tung Tau (II) Estate*	2716 7966	2326 8962	2716 7966
Tung Wui Estate	2590 0880	3572 0040	2590 0880
Un Chau Estate		2728 7714	2387 0023
Upper Ngau Tau Kok Estate		3543 0304	2751 6006
Upper Wong Tai Sin Estate	2321 2004	3572 0040	2321 2004
Wah Fu (I) Estate	2551 2011		
Wah Fu (II) Estate	2551 0660		
Wah Ha Estate	2563 2112	2557 0115	2563 2112

(in alphabetical order)	Estate Office/ Interim Housing Office Telephone No.	District Tenancy Management Office Telephone No.	Property Services Management Office (HD) Telephone No.
Wah Kwai Estate* (excl. Wah Oi House)	2409 7373	2551 0660	2409 7373
Wah Kwai Estate* (Wah Oi House)	2875 1097	2551 0660	2875 1097
Wah Lai Estate	2242 6442		
Wah Ming Estate*		3698 0061	2675 9583
Wah Sum Estate		3698 0061	2677 1772
Wan Hon Estate		2323 8121	2172 7363
Wan Tau Tong Estate*		2657 2808	2638 2449
Wan Tsui Estate	2558 0180		
Wan Tsui Estate (Yat Tsui House)	2505 3841	2558 0180	2505 3841
Wang Tau Hom Estate	2336 0258	2336 1053	2336 0258
Wing Cheong Estate		2382 3151	2323 0680
Wo Che Estate	2697 6183		
Wo Lok Estate	2342 1935		
Wu King Estate	2465 0621		
Yan On Estate		2694 4408	3568 9498
Yan Tin Estate		2465 1212	2386 0927
Yat Tung (I) Estate	3140 6316	3140 6400	3140 6316
Yat Tung (II) Estate	3152 3952	3140 6400	3152 3952
Yau Lai Estate		2629 4372	2629 4398
Yau Oi Estate	2458 7710		
Yau Tong Estate		2349 4189	2349 4189
Yee Ming Estate		2706 8201	2331 3569
Ying Tung Estate	2702 8911	3140 6338	2702 8911
Yiu On Estate*		2697 7208	2640 3113
Yiu Tung Estate	2539 8336		
Yue Wan Estate	2557 3281		
Yung Shing Court **		3698 0061	3124 6796

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

** Buy or Rent Estate (Managed by Property Management Agencies appointed by Owners' Committee which do not handle any matters concerning housing policies)

Private Sector Participation Scheme Transferred Block

Table of Contents

	Page
Section A	Application for Public Housing, Transfer and Subsidised Home Ownership Schemes
Chapter 1:	Application for Public Rental Housing..... 3
Chapter 2:	Rehousing of Occupants upon Clearance 17
Chapter 3:	Rent Allowance for Elderly Scheme..... 22
Chapter 4:	Compassionate Rehousing..... 23
Chapter 5:	Transfer 24
Chapter 6:	Home Ownership Scheme..... 31
Chapter 7:	Green Form Subsidised Home Ownership Scheme..... 38
Chapter 8:	Extension of Green Form Status to Public Rental Housing Applicants..... 46
Chapter 9:	Home Ownership Scheme (HOS) Secondary Market 47
Chapter 10:	Home Assistance Loan Scheme..... 52
Chapter 11:	Tenants Purchase Scheme..... 53
Section B	Estate Management and Rent Policy
Chapter 1:	Domestic Rent Policy 57
Chapter 2:	Rent Assistance Scheme 59
Chapter 3:	A Rent-free Period of 14 Days..... 61
Chapter 4:	Housing Subsidy Policy & Policy on Safeguarding Rational Allocation of Public Housing Resources (Commonly referred to as the “Well-off Tenants Policies”) 62
Chapter 5:	Biennial Inspection 65
Chapter 6:	Deletion/ Addition/ Conditional Temporary Stay of Family Members..... 66
Chapter 7:	Policy on Grant of New Tenancy..... 72
Chapter 8:	Housing Arrangements for Divorced Couples in Public Rental Housing (PRH) Flats 77
Chapter 9:	Policy on Household Splitting 80
Chapter 10:	Surrender of Public Rental Housing Flats upon Acquisition of Other Forms of Subsidised Housing..... 83
Chapter 11:	Appeal Procedures against Notice-to-quit Issued and Restrictions on Households in Tenancy Breach 85

Table of Contents

	Page
Section B	Estate Management and Rent Policy
Chapter 12:	Decoration Contractor System..... 86
Chapter 13:	Clothes-drying Facilities of Estates 87
Chapter 14:	Security Service and Installations..... 88
Chapter 15:	The Use of Roads and Parking Facilities of Public Housing Estates 89
Chapter 16:	Emergency Alarm System 90
Chapter 17:	Services and Facilities for Persons with Disabilities 92
Chapter 18:	Housing Arrangements for Tenants Affected by Estate Clearance..... 95
Chapter 19:	Estate Management Advisory Committee 96
Chapter 20:	Marking Scheme for Estate Management Enforcement in Public Housing Estates 97
Chapter 21:	Letting of Commercial Premises by Open Tender 102
Chapter 22:	Letting of Commercial Premises by Restricted Tender..... 110
Chapter 23:	Short Term Letting of Commercial Premises (by Commercial Properties Management Unit)..... 121
Chapter 24:	The Enhanced Marking Scheme for Commercial Properties (the Scheme) 127
Chapter 25:	The Factory Marking Scheme..... 129
Chapter 26:	Exempting, Deferred Payment or Refund of Rental Deposit 130
Chapter 27:	Arrangements on Display of Publicity Materials (PMs) and Arrangements on Electioneering Activities during Election Period. 132
Chapter 28:	Assurance of Future Accommodations for Certain Vacating Tenants..... 138
Chapter 29:	Letting of Office Accommodation for Legislative Councilors and District Councilors..... 139
Section C	General Issues
Chapter 1:	Rights and Responsibilities of Hong Kong Housing Authority (HA)'s Client Groups..... 145
Chapter 2:	Performance Pledge 154
Chapter 3:	Public Enquiry Service 159

Section A

Application for Public Housing, Transfer and Subsidised Home Ownership Schemes

Section A

Chapter 1: Application for Public Rental Housing

Application for Public Rental Housing

The Hong Kong Housing Authority (HA) maintains an application system to provide eligible applicants with public rental housing (PRH).

PRH estates in Hong Kong are mainly distributed in four districts, namely: Urban (including Hong Kong Island and Kowloon), Extended Urban (including Tung Chung, Shatin, Ma On Shan, Tseung Kwan O, Tsuen Wan, Kwai Chung and Tsing Yi), New Territories (including Tuen Mun, Yuen Long, Tin Shui Wai, Sheung Shui, Fanling and Tai Po), and Islands (excluding Tung Chung). Since the number of applications for PRH flats in the Urban district exceeds the number of units available for allocation, PRH applicants holding applications with registration date or equivalent registration date after 30 September 2014 and new PRH applicants can only choose one district for PRH allocation from the remaining three non-urban areas i.e. Extended Urban, New Territories and Islands. Nevertheless, applicants who join the Single Elderly Persons Priority Scheme, Elderly Persons Priority Scheme or Harmonious Families Priority Scheme and opt to have all the members living in one unit may choose any district of their choice.

For tenancies terminated due to misdeeds under the Marking Scheme for Estate Management Enforcement in PRH Estate or breach of the tenancy agreement, the ex-tenants and the family members aged 18 or above as at the date of tenancy termination (except for those applicants for Interim Housing who are required to submit PRH application form for rehousing) will be ineligible for making fresh PRH applications for two years if the notice of tenancy termination expired/ expires on 1 January 2006 or any later date. Even though applications may have been registered before the date of tenancy termination, or the applications are registered as a pre-requirement in the application for Interim Housing, these applications will be frozen for two years from the date of tenancy termination and the frozen period will not be counted as waiting time (Non-elderly One-person applicants will not earn any points for waiting time during the frozen period). This category of applicants will not be offered a unit better than their previous abodes in PRH in terms of geographical locality, age of building and floor level. Should the ex-tenants and the family members aged 18 or above as at the date of tenancy termination have vacated the unit without paying the rent when the tenancy is terminated, they must settle the rent arrears and other outstanding sums before they are offered another unit in consequence of the application. The above restrictions are also applicable to the ex-licencees and their family members of interim housing.

Upon the acceptance of a PRH offer by the applicant, HD's flat allocation is completed. The applicant cannot request for another offer with the same application. If the applicant or his/ her family member is residing in another PRH unit or has any PRH

tenancy at that time, the applicant or his/ her family member is required to surrender the original PRH unit or process the deletion from the existing PRH tenancy.

1. Applications by Ordinary Families

a. Eligibility

- i. The Applicant must be 18 years of age or above. The Applicant and all family members must be residing in Hong Kong and have the right to land in Hong Kong without being subject to any conditions of stay (except for conditions concerning the limit of stay). Family members who do not have the right to land in Hong Kong should not be included in the application.
- ii. Family members aged under 18 must apply together with his/ her parents or legal guardian and listed on the same application form.
- iii. The relationship between the Applicant and family members, and between family members must be either husband and wife, parent and child, grandparent and grandchild. Applicant may apply with his/ her single sibling who never undergone any formal or customary marriage formalities, divorced or widowed. If the single sibling gets married after registration of PRH application, he/ she must delete his/ her name from the PRH application as soon as possible despite his or her spouse has not been granted the right to land in Hong Kong.
- iv. All married persons listed on the application form must apply together with their spouses (except for divorcees, persons undergoing divorce proceedings, persons whose spouses have not been granted the right to land in Hong Kong or widowed persons).
- v. Applicants who apply with their child/ grandchild, only one of their married children or grandchildren together with the child/ grandchild's nuclear family can be included in the application.
- vi. At the time of allocation, the applicant and all family members must be still living in Hong Kong and at least half of the family members included in the application must have lived in Hong Kong for seven years. Under the following circumstances, all children under the age of 18 are deemed to have fulfilled the seven-year residence rule:
 - one of the parents, regardless of the children's place of birth, has lived in Hong Kong for 7 years; or
 - the children were born in Hong Kong with established permanent resident status.

- vii. From the date of signing on the application form to the date of signing the tenancy agreement of the PRH unit allocated in consequence of the application, the Applicant and his/ her family members must not
- own or co-own or have an interest in any domestic property in Hong Kong (for example: trustee, executor, administrator or beneficiary having an interest in any domestic property in Hong Kong shall not be eligible to submit the application); or
 - have entered into any agreement (including provisional agreement) to purchase any domestic property in Hong Kong; or;
 - 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 Building Authority, domestic building lots and Small House Grants approved by the Lands Department in Hong Kong.
- viii. The total monthly household income and total net asset value of the household must not exceed the prescribed limits laid down by HA. Such limits are subject to review annually.
- ix. New applications from the whole household of HA and Hong Kong Housing Society (HKHS) sitting subsidised rental housing tenants (including one-person household) will not be accepted. The registered PRH application will also be cancelled if the whole family of PRH household/ subsidised rental household of HKHS duplicated with the PRH application after addition/ deletion of family member(s) from the tenancy/ PRH application.
- x. Starting from 1 April 2017, if all household members in a family application are currently living in PRH (whether from the same or from different PRH tenancies), the relevant application will be frozen for one year and a G-number equivalent date will be computed. Once an application is frozen, the frozen period imposed will not be cancelled or adjusted on account of any subsequent addition/ deletion of household members in the application, or deletion of household members from the existing PRH tenancy. Even if an application needs not be frozen at the time of registration, if the application subsequently meets the criteria for freezing due to addition/ deletion of household members, or addition of household members in a PRH tenancy, the application concerned will still need to be frozen for one year.

Applications registered prior to the implementation date of the frozen period arrangement will not be affected by the arrangement. Applications under the "Single Elderly Persons Priority Scheme", "Elderly Persons Priority Scheme" and "Harmonious Families Priority Scheme" received on or before 1 October 2019 would be exempted. Applications received on or after 2 October 2019 would no longer be exempted. However, if an application has been frozen for one year under the new arrangement in its capacity as an ordinary family application, even if the application subsequently switches to one under the "Harmonious Families Priority Scheme", the frozen period imposed earlier will not be cancelled.

- xi. Ex-owners/ ex-joint owners or former recipients and their spouses of various subsidised home ownership schemes are ineligible to apply for PRH. However, HD may grant special consideration to their application in the following circumstances subject to their fulfillment of other PRH eligibility criteria:
- adjudicated 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 making mortgage repayment; or
 - households beset with medical and social problems but not to the extent of qualifying for compassionate rehousing.

Applicants should submit relevant supporting documents, including the records of ex-owner and current owner of the relevant subsidised properties registered with the Land Registry, for HD's consideration.

- xii. Family members of flats under HA's various subsidised home ownership schemes such as the Home Ownership Scheme, Private Sector Participation Scheme, Middle Income Housing Project at Melody Garden, Mortgage Subsidy Scheme, Buy or Rent Option Scheme, HOS Secondary Market Scheme, Tenants Purchase Scheme, Home Purchase Loan Scheme, Home Assistance Loan Scheme and Green Form Subsidised Home Ownership Scheme etc., or any subsidised housing schemes administered by the HKHS and Urban Renewal Authority (URA) may submit PRH application form once their names have been deleted from the relevant records, subject to the fulfillment of other PRH eligibility criteria.

- xiii. Purchasers of flats under various subsidised home ownership schemes, who have been approved to rescind the Agreement for Sale and Purchase before receiving any of the subsidised assistance, may submit PRH application form after the execution of the Cancellation Agreement, subject to the fulfillment 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 ineligible to apply for PRH.
- xv. One-person and two-person households affected by estate clearance/ redevelopment projects of the HA or the Ming Wah Dai Ha Redevelopment Project of the Hong Kong Housing Society (HKHS) who have opted for cash allowance in lieu of rehousing are ineligible to apply within two years from the date of termination of their respective tenancy.
- xvi. All household members affected by Guangzhou-Shenzhen-Hong Kong Express Rail Link (The Hong Kong Section) project, Liantang/ Heung Yuen Wai Boundary Control Point and Associated Works who had chosen “ex-gratia cash allowance – only” option are ineligible to apply for a period of three years counting from the date of receipt of the allowance.
- xvii. Single and two-person squatters households affected by clearance exercises who opted for cash allowance in lieu of rehousing are ineligible to apply in the subsequent two years counting from the date of payment of allowance.
- xviii. Households affected by government clearances or clearance projects undertaken by other authorities (e.g. the URA) who opt for cash allowance in lieu of rehousing are ineligible to apply within the specified period.
- xix. Arrangements for processing divorce cases of PRH applicants:

Upon divorce, the party with the custody as well as care and control (if applicable) of child(ren) 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 as well as care and control (if applicable) of any child, is still in need of PRH unit and fulfills all the eligibility criteria, a fresh application will be accepted

with a registration date same as that of the original application or the corresponding G-number equivalent date. The same arrangement will also apply 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 legal proceedings are in progress can be produced. PRH units will be offered to such eligible applicants in the form of conditional tenancies upon confirmation of their eligibility for PRH allocation. If the divorce legal proceedings have been finalized, applicants must report to HD immediately.

Given conditional tenancy is only applicable to the applicant and his/ her spouse, if other family member(s) listed in the application is/ are under divorce proceedings, the eligibility checking for allocation of PRH flat will only be processed after finalization of the divorce proceedings.

2. Application by Elderly Persons

The Department has introduced a number of housing schemes, under which public rental housing is provided for the elderly on a priority basis. Under normal circumstances, eligible applicants under the schemes enjoy priority processing over the application by ordinary families.

Single Elderly Persons Priority Scheme

a. Eligibility

- i. The applicant must be 58 years of age or above, and must have attained the age of 60 at the time of flat allocation.
- ii. The total monthly income and total net assets value of the applicant must not exceed the prescribed limits laid down by HA. Such limits are subject to review annually.
- iii. The applicant has to meet all eligibility criteria applicable to ordinary families.

b. Addition of Family Member

Single elderly persons may apply for addition of family members and become qualified as an ordinary family applicant. Half of the waiting time accumulated in the one-person application, up to a maximum of 3 years, will be credited to the family application. After adjustment of the waiting time,

a registration date equivalent to that of a general application (i.e. a G-number equivalent date) will be computed. This G-number equivalent date will serve as a reference for the subsequent allocation and enforcement of the relevant PRH application policies.

Elderly Persons Priority Scheme

a. Eligibility

- i. Two or more elderly persons who undertake to live together upon PRH allocation are eligible to apply. For non-related members, they are required to sign or stamp their seals on the application form together.
- ii. All of them must be 58 years of age or above at the time of filing in their application and must have attained the age of 60 by the time of PRH allocation.
- iii. The total monthly household income and total net assets value of the elderly persons must not exceed the prescribed limits laid down by HA. Such limits are subject to review annually.
- 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 a nuclear family plus at least one elderly parent/dependent relative to opt living in one flat or two separate flats in the same district. The eligible applications under this scheme enjoy a 6-month period of priority processing over the application by ordinary families.

A. Opting to live in one flat with the elderly

a. Eligibility

- i. The Applicant's family must consist of at least two members. Amongst which, at least one of them must be an elderly parent/dependent relative and at least one of them must be aged 18 or above.
- ii. At the time of application, the elderly parent(s)/ dependent relative(s) must have reached the age of 60 and is/ are willing to live with the aged 18 or above younger member(s). The

Applicant can select any district for allocation of PRH.

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

b. Special Conditions

Irrespective of whether the elderly or another adult family member is the Applicant, both of them are required to sign an undertaking at the detailed vetting interview to the effect that the younger member would take care of and live together with the elderly parent(s)/ dependent relative(s). The tenancy so granted will be terminated if the young member is subsequently found to have failed to comply with this condition.

B. Opting to live in two nearby 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 who must have reached the age of 60. They can opt for two nearby units in the same district (other than the Urban district) by submitting two application forms.
- ii. The family has to meet all eligibility criteria applicable to ordinary families.

b. Special Conditions

Should the application of the young family mature first, detailed vetting for the eligibility of the elderly applicant will be advanced to coincide with the vetting for the young family. Both of them are required to sign an undertaking at the detailed vetting interview to the effect that upon PRH allocation, the young family should take proper care of the elderly parent(s)/ dependent relative(s). All the tenancies so granted will be terminated if the young family is subsequently found to have failed to comply with this condition. Should the application of the elderly family mature first, detailed vetting for the eligibility of the young applicant will not be advanced to coincide with the vetting for the elderly family.

3. Application by Non-elderly One-Person Applicants under QPS

The HA introduced an annual allocation quota and a points system for Non-elderly One-person applicants on 29 September 2005. In its review on QPS in October 2014, HA refined the points system to accord priority to applicants of higher age and increased the annual allocation quota under QPS.

a. Eligibility

- i. The total monthly income and total net assets value of the applicant must not exceed the prescribed limits laid down by HA. Such limits are subject to review annually.
- ii. The applicant has to meet all appropriate eligibility criteria applicable to ordinary families.
- iii. The priority of PRH allocation of Non-elderly One-person applicants will be determined according to the points scored and the quota available for the year. The more points the applicant scores, the earlier the applicant will be offered a flat, subject to the fulfillment of eligibility criteria.

b. Points System

Points will be allotted based on an applicant's age when his/ her application is registered and the waiting time. Under the Points System, zero point will be given to applicants aged 18 and 9 points will be added for every year of age. Applicants aged 19 will get 9 points. Those at 20 will get 18 points and so forth.

Applicants reaching the age of 45 will be awarded a one-off bonus of 60 points. Besides, applicants will be given an additional point for each subsequent month upon registration.

For applicants living in the subsidised rental housing unit of the HA or HKHS, 30 points will be deducted.

When Non-elderly One-person applicants reach the age of 60, their applications will be automatically switched to 'Single Elderly Persons Priority Scheme' application without further notifications. After switching to the 'Single Elderly Persons Priority Scheme', applicants may consider changing their district choice to Urban at any time for PRH allocation.

c. Annual Allocation Quota

Starting from 2015/16, the annual allocation quota under QPS has been increased from 8% to 10% of the total number of flats to be allocated to PRH applicants (including general applicants and Non-elderly One-person applicants under QPS), subject to a cap which has been increased from 2 000 to 2 200 units.

d. Addition of Family Members

Where necessary, Non-elderly One-person applicants under QPS may apply for addition of family member(s) and switch to ordinary family applications without the need for a new registration. Half of the waiting time as a Non-elderly One-person applicant will be credited to the ordinary family application, up to a maximum of 18 months. After adjustment of the waiting time, a registration date equivalent to that of a general application (i.e. a G-number equivalent date) will be computed. This G-number equivalent date will serve as a reference for the subsequent allocation and enforcement of the relevant PRH application policies.

Starting from 1 April 2017, when Non-elderly One-person applications switch to family applications, if all members in an application are currently living in PRH (whether from the same or from different PRH tenancies), the waiting time of the relevant application will be frozen for one year. If their waiting time which will not be counted under the current policy is less than one year when Non-elderly One-person applications switch to family application, their family applications will be further frozen to add up to one year in total. However, when Non-elderly One-person applications switch to family application, if their waiting time which will not be counted under the current policy is one year or more, their family applications will not be further frozen.

e. Family Application Turning into Non-elderly One-person Application

Some ordinary family applications may switch to Non-elderly One-person applications subsequent to deletion of family members without the need for a new registration. In that case, the applications will immediately be included in the QPS whereby points will be calculated basing on the applicants' age at the time of registration of the applications. The waiting time under the ordinary family application can be carried in full to the Non-elderly One-person application. For Non-elderly One-person applicants living in the subsidised rental housing unit of the HA or HKHS, 30 points will be deducted.

Starting from 1 April 2017, if all members in a family application are currently living in PRH (whether from the same or from different PRH tenancies), the relevant application will be frozen for one year. For these applications which have been frozen for one year, should one of the household members currently living in PRH subsequently switch to Non-elderly One-person application, 30 points will be deducted as required under the QPS. The registration date/ G-number equivalent date of his previous family application before being frozen will be used as the basis for calculating his waiting time points and age points under the QPS.

f. Regular Checking of Non-elderly One-person Application under QPS

HD will conduct regular checking on those QPS applicants who have waited for five years but not yet due for detailed vetting within the next two years. The checking will be conducted in two stages:

- i. Stage 1: Issue letters by post to all target applicants and request them to declare their latest income and assets; and
- ii. Stage 2: Select an appropriate percentage of the target applicants by random computer batching and invite them to submit supporting documents for paper checking. If the returned documents required further verifications, applicants will be invited to attend interviews for detailed checking.

For applicants who are found to be no longer eligible for allocation of PRH or applicants who do not respond to our repeated requests for declaration, paper checking and/ or detailed vetting, HD will cancel their applications. For applicants who pass the checking and maintain their eligibility for PRH, they will be subject to a further checking after five years from the checking date if they still fall into the target group of checking by then.

g. Housing for Senior Citizens

The age limit for allocation of Housing for Senior Citizens units has been lifted. Non-elderly One-person applicants may be offered one-person Housing for Senior Citizens units.

4. Flat Allocation

According to the prevailing allocation policy of PRH, generally public housing resources are allocated strictly in accordance with the relative priority of the registered applications to uphold the principle of rational allocation. The relative priority of allocation for Non-elderly One-person applicants under the Quota and Points System (QPS) is based on the points they have scored and the

quota available for the year. The higher the points the applicants have scored, the higher priority for allocation. As such, despite medical grounds or social problem encountered and in all circumstances, applicants cannot request for early allocation.

For equitable distribution of public housing resources, PRH flats are allocated to applicants by random computer batching according to their family size, flat allocation standards and choice of district but subject to the resources available when their applications are due for allocation. Eligible applicants are entitled to three housing offers (one at a time). Refusal of all the three housing offers without “acceptable reasons” will result in cancellation of the application concerned. Applicants with their applications cancelled for refusing PRH offers can apply for review in writing within 15 days from the date of the notification letter of cancellation. These applicants are only allowed to submit fresh PRH applications one year after the cancellation date of the application.

Applicants cannot specify the location or estate or specific type(s) of PRH for allocation. For applicants with special requests for allocation of PRH (for example, a specific area in their district of choice or a specific type of unit etc.), their applications must be vetted to have social and/ or medical grounds to justify their need for such and have obtained the recommendation on such requests from the concerned government departments or organizations (such as the Social Welfare Department or the Hospital Authority). HA, with regard to individual circumstances and available resources, will arrange allocation of PRH as recommended for them as far as possible.

With the abolition of the age limit for allocation of Housing for Senior Citizens units, eligible Non-elderly One-person applicants or family applicants with two persons may be offered one-person or two-person units of Housing for Senior Citizens respectively. If the Non-elderly One-person applicant has reached the age of 60 at the time of flat allocation, the application can be processed under the Single Elderly Persons Priority Scheme.

Moreover, to speed up the allocation of PRH, units in estates to be completed soon or vacant units under refurbishment will be offered to eligible applicants in advance.

5. Allocation Standard for Public Rental Housing

The HA’s current allocation standard for PRH is no less than 7 square metres internal floor area per person.

6. Express Flat Allocation Scheme (EFAS)

This Scheme is launched once a year for all target applicants, including those applicants not due for detailed vetting of eligibility.

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 PRH applicants.

b. Eligibility

- i. The applicant must possess a valid PRH application.
- ii. The applicant and his/ her family members have to fulfill the seven-year residence rule.
- iii. The PRH application of the applicant must satisfy the stipulated date of registration or equivalent date of registration of the EFAS exercise.
- iv. The PRH applicant still holds a valid chance of flat allocation.

c. Highlights of the EFAS

Housing Authority/ Housing Department Website:

[Home > Flat Application > Express Flat Allocation Scheme](#)



Hong Kong Housing Authority

PUBLIC RENTAL HOUSING

INCOME AND TOTAL NET ASSET LIMITS

(Effective from 1 April 2021)

Family Size	Maximum Income Limit (per month)⁽¹⁾	Total Net Asset Limit⁽²⁾
1-person	\$12,940	\$266,000
2-person	\$19,550	\$360,000
3-person	\$24,410	\$469,000
4-person	\$30,950	\$548,000
5-person	\$37,180	\$609,000
6-person	\$40,840	\$659,000
7-person	\$46,770	\$703,000
8-person	\$52,310	\$737,000
9-person	\$57,710	\$815,000
10-person or above	\$62,980	\$878,000

INCOME AND TOTAL NET ASSET LIMITS FOR NON-RELATED ELDERLY HOUSEHOLDS

(Effective from 1 April 2021)

Household Size	Maximum Income Limit (per month)⁽¹⁾	Total Net Asset Limit
2-person	\$23,460	\$720,000
3-person	\$29,290	\$938,000
4-person	\$37,140	\$1,096,000
5-person	\$44,620	\$1,218,000
6-person	\$49,010	\$1,318,000
7-person	\$56,120	\$1,406,000
8-person	\$62,770	\$1,474,000
9-person	\$69,250	\$1,630,000
10-person or above	\$75,580	\$1,756,000

Note: (1) The amount of statutory contribution to the Mandatory Provident Fund or Provident Fund Scheme can be deducted when making income declaration.

(2) If all member(s) of a family is/ are elderly person(s) of age 60 or above, the total net asset limit for the family will double the amount as shown in the above table (i.e. the total net asset limits for elderly families with 1-person to 10-person or above are \$532,000, \$720,000, \$938,000, \$1,096,000, \$1,218,000, \$1,318,000, \$1,406,000, \$1,474,000, \$1,630,000 and \$1,756,000).

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 (LandsD) on 1 April 2006, the role of HD is confined to providing rehousing assistance to eligible clearerees affected by government actions on land clearance for development or other purposes (affected squatter clearerees), and to victims of natural disasters and other emergency incidents.

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

Eligibility Criteria for Public Rental Housing (PRH)

1. Affected squatter clearerees

- (a) Affected squatter clearerees must be genuine residents of a licensed domestic structure/ a 1982 surveyed domestic structure and covered by the 1984/85 Squatter Occupancy Survey and registered in the pre-clearance survey subject to their fulfillment of the eligibility criteria for PRH (including 7-year residence rule, no domestic property in Hong Kong (HK), satisfy the income and asset test, etc.); or
- (b) Households who are not covered by the 1984/85 Squatter Occupancy Survey but have proof of 2-year residence in the affected 1982 surveyed domestic structure/ licensed domestic structure immediately preceding the date of announcement of clearance subject to their fulfillment of the eligibility criteria for PRH, they would be allotted a notional PRH application number with 2-year waiting time. Under the policy of Anticipatory Housing Scheme (AHS), if they will soon be allotted with PRH flat within 12 months' time, their application will be handled in advance.

2. Affected IRS Occupants

- (a) Affected IRS occupants must prove that they have been living in the affected IRS since or before 1 June 1982 and fulfilling other eligibility criteria for PRH application (including 7-year residence rule, no domestic property in HK, satisfy the income and asset test, etc.); or

- (b) Households with proof of 2-year residence in a rooftop structure built on or before 1 June 1982 immediately preceding the date of service of Statutory Order (SO) by BD under Section 24 of the Buildings Ordinance, subject to their fulfillment of the eligibility criteria for PRH, they would be allotted a notional PRH application number with 2-year waiting time. Under the policy of AHS, if they will soon be allotted with PRH flat within 12 months' time, their application will be handled in advance.

3. Apart from satisfying the above mentioned criteria, affected squatter clearerees or affected IRS occupants must also satisfy the eligibility criteria for PRH application and please draw particular attention to the following criteria:

- (a) At least half of the family members must have lived in 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;
- (b) During the period from the date of pre-clearance survey of Squatter Structure or the date of service of SO by BD up to the date of signing the tenancy agreement of the PRH flat allocated in consequence of the application, the applicant or his/ her family members must not:
 - (i) own or co-own or have an interest in any domestic property in HK; or
 - (ii) have entered into an agreement (including provisional agreement) to purchase any domestic property in HK; or
 - (iii) hold more than 50% of shares in a company which owns, directly or through its subsidiaries, any domestic property in HK. Domestic property includes any domestic property, uncompleted private domestic property, rooftop structure approved by the Building Authority, domestic building lots and Small House Grants approved by the Lands Department in the HK; and
- (c) Affected squatter clearerees and affected IRS occupants are subject to income and asset test, and their total family monthly income and total net asset value must not exceed the income and total net asset limits laid down by the Housing Authority.

Eligibility Criteria for Interim Housing (IH)

Affected squatter clearerees must be genuine residence of a licensed domestic structure/ a 1982 surveyed domestic structure or IRS occupants can prove that they have been living in the affected IRS which was built on or before 1.6.1982; registered in the pre-clearance survey; have no domestic property in HK; and satisfy the income and asset test for PRH, but:

- (1) fail the 7-year residence rule; or
- (2) fail to have proof of a 2-year residence in the affected 1982 surveyed domestic structure/ licensed domestic structure immediately preceding the date of announcement of clearance/ affected IRS which was built on or before 1.6.1982 immediately preceding the service of SO by BD which are ineligible for allotment of a notional PRH application number with 2-year waiting time; or
- (3) who have proof of a 2-year residence in affected squatter structure/ IRS and allotted a notional PRH application number with 2-year waiting time. However, the application cannot be handled in advance by HD as their notional PRH application will not reach the allocation stage within 12 months' time.

They will be rehoused to IH while awaiting PRH through PRH application.

Families failing the income and asset test are ineligible for PRH or IH. They can apply to stay in IH for one year, during which they are required to pay licence fee equivalent to market rent.

Subsidised Sale Flats Schemes

Affected squatter clearerees/ affected IRS occupants, who are eligible for rehousing to PRH, may apply Green Form Certificate (in ordinary green form status) in lieu of allocation of PRH flat to purchase flats under Home Ownership Scheme (HOS), Green Form Subsidised Home Ownership Scheme (GSH) or Secondary Market Scheme, provided that they meet the eligibility for the purchase of the HOS flats, GSH flats or the HOS secondary market and the HOS/ GSH sale scheme is available for application.

Cash Allowance for Single Person and Two-person Families

Single and two-person families of affected squatter clearerees/ affected IRS occupants, having satisfied eligibility for PRH or IH may opt for cash allowance in lieu of rehousing to PRH or IH. Recipients of this allowance are ineligible for further payments of the allowance or for any form of public housing in the subsequent two years.

Occupants Already Registered in the PRH Application

Affected squatter clearerees/ affected IRS occupants fulfilled the eligibility for rehousing to PRH or IH, if they have already registered for PRH and their PRH application is expected to reach the allocation stage within 12 months, advance action will be taken to handle their PRH application under the AHS.

Ex-beneficiaries of various Subsidized Housing Schemes

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 tenement 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 affected private tenement since and before the date of announcement of clearance 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 or IH will be rehoused to public rental flats or IH in the New Territories.

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 Tung Chung, Shatin, Ma On Shan, Tseng Kwan O, Tsuen Wan, Kwai Chung and Tsing Yi) if no urban units are available.

Attention

Under the AHS, 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 take residence in the affected structures after the service of the SO by the BD under Section 24(1) of the Buildings Ordinance are ineligible for rehousing.

Dedicated Estates developed by Hong Kong Housing Society

Under the Government's enhanced ex-gratia Compensation and Rehousing package announced on 10 May 2018, a non-means-tested rehousing option will be offered to eligible households in the form of rental and subsidised sale flat (SSF) units in Dedicated Estates (DEs) to be developed and managed by the Hong Kong Housing Society (HS).

As a one-off arrangement, HS and HA will provide rental units as a transitional arrangement to eligible households before the intake date of the respective DEs. Such households will be given the option (instead of being mandated) to relocate to the DEs when the DEs are ready for intake. Those opting to continue residing in HA's PRH or HS's rental units would continue to be subject to the prevailing HA/ HS's policies on well-off tenants.

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 Subsidised 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 a form of special housing assistance. For those who have genuine and imminent long-term housing needs on social and medical grounds (if applicable) but have no other feasible means to solve their housing problems, they can approach the Social Welfare Department (SWD) for relevant welfare services or assistance. SWD has formulated guidelines on handling CR cases which set out the assessment criteria and handling procedures for processing applications for CR to assist SWD to assess the housing needs of each case in a professional and objective manner. SWD will assess each case and recommend eligible cases to the Housing Department (HD) for CR. Upon receipt of relevant recommendations, HD will arrange for flat allocation as soon as possible, after completion of regular procedures.

Conditional Tenancy (CT) is a scheme under CR aiming at providing assistance to those persons, who have filed petitions for divorce, have genuine and imminent long-term housing needs and have no other feasible means to solve their housing problems owing to their social and medical needs (if applicable) under specific circumstances. SWD recommends eligible cases to HD for temporary accommodation in PRH units in the form of CT, while awaiting the court decision on their divorce applications. Upon the completion of the divorce proceedings and when they fulfill the eligibility criteria for applying the PRH, they may apply for converting the CTs into normal tenancies.

To help the elderly property owner-occupiers (EPOs) living in private dilapidated buildings without lift service resolve the housing problem encountered, the Ex-gratia Scheme for Elderly Property Owner-occupiers has been set up under CR. The requirement of not owning domestic property in Hong Kong will be temporarily waived and the eligible EPOs will move into PRH on a licence basis as a transitional arrangement. If the elderly concerned is still able to meet the eligibility criteria for applying for PRH after selling/ disposal of the property and completion of related matters, he/ she can apply for conversion to normal tenancy.

Eligible individuals or families may approach the Integrated Family Services Centres/ Integrated Service Centres, Rehabilitation Service Units, Medical Social Services Unit, Social Security Field Units, etc. of SWD and the approved non-governmental organizations for enquiries.

As CR is meant to meet the genuine and imminent long term housing needs of the client, location preference will not be made in SWD's recommendation as it will narrow the allocation scope and prolong allocation time. Clients should also accept allocation of refurbished PRH units available.

Section A

Chapter 5: Transfer

Flat Transfers

Public rental housing (PRH) tenants of the Hong Kong Housing Authority (HA) may apply for transfer after having residence in a considerable period of time in accordance with family changes, such as they may want to move to a bigger or another flat due to increase in family size or improved household income; or they may have difficulties in continuously living in the existing flats due to special circumstances. In addition, they may be required to move to another flat due to the HA's major improvement or redevelopment plan. Subject to the availability of 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 difficulties in continuously living in their existing flats due to special circumstances, such as social and/ or medical grounds, may apply for transfer to a flat in the same estate.

2. Special Transfer

If tenants have difficulties in continuously living in their existing flats due to special circumstances, such as social and/ or medical grounds, but internal transfer cannot solve their problem, they may apply for special transfer to a flat in another estate. They have to provide sufficient reasons with the relevant supporting document such as medical certificate or written recommendation from the Social Welfare Department, if required. 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.

3. Extremely Urgent Transfer

If tenants apply for transfer on social and/ or medical grounds and have such urgency which requires prompt relocation, such as due to tragic or violence incidents, a high priority will be accorded to the case. If the tenant has submitted the requisite information together with the relevant supporting documents, allocation of flat can be arranged within 10 working days, subject to the availability of housing resources in the district approved for the transfer.

4. Transfer of Overcrowded Families Living in Blocks Under Estate Clearance Project

Depending on the circumstances, overcrowded families involved in estate clearance project which is formally announced, while awaiting for rehousing arrangement, may apply for transfer to the vacant flats in their existing estate for relief of overcrowding. When suitable flats are available for the above purpose, estate office will advertise the details of the flat particulars and application procedures on the notice boards in the estates to invite applications from eligible families.

Households joining the above voluntary transfer schemes should not carry valid points allotted under the “Marking Scheme for Estate Management Enforcement in Public Housing Estates” (the Marking Scheme). All members of the household should also not be in breach of any clause of the tenancy agreement as well as to comply with the requirements of occupancy position in PRH.

5. Transfer of Tenants Occupying Converted One-person Flats

To phase out converted one-person (C1P) flats, the households concerned can apply for self-contained flats through internal or external transfer. Upon the transfer to another PRH flat, they will be granted 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 them. Temporary accommodation may be provided and rent waiver for that period may be granted for justified AO cases should the premises temporarily render unfit for occupation due to renovation work.

6. Transfer for Major Repairs/ Improvement Programmes

Tenants who have to move out due to structural problems, comprehensive repair or improvement works of their block will be allocated another suitable flat. These tenants will be granted a DRA upon transfer to another PRH flat.

7. Thinning-out Transfer under Estate Clearance Project

To fully utilise 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, the HA will invite these tenants by notices. Successful applicants for thinning-out exercises will be granted a DRA upon their acceptance of the allocation of another PRH flat.

8. Transfer of Households of Housing for Senior Citizens Type I

To phase out Housing for Senior Citizens (HSC) Type I units under the conversion programme, households concerned can apply for HSC Type II or Type III units or other self-contained flats. Upon transfer to other PRH flats, they will be granted a DRA. However, if they move out through other voluntary transfer schemes, DRA will not be granted.

9. Transfer for Under-occupation Households

After tenants taking up the public housing flats, there may be deletion of family members due to moving-out, death, marriage, emigration, etc. rendering the remaining family members to enjoy far more living space than is allowed under the established allocation standards and become an under-occupation (UO) household. Under the existing tenancy agreement, an UO household has to move to a PRH flat of suitable size which HA considers appropriate for the family. The HA will adopt a phased approach to tackle the UO cases with priority accorded to handle Prioritised UO (PUO) cases. With effect from 1 October 2013, households with living space according to family size exceeding the Internal Floor Area (IFA) as appended below and without elderly or disabled members are identified as PUO cases. The current UO standards and PUO thresholds are as below:

Family Size (person)	1	2	3	4	5	6
UO Standards IFA (m ²) exceeding	25	35	44	56	62	71
PUO Thresholds IFA (m ²) exceeding	30	42	53	67	74	85

A maximum of three offers of PRH flat either in the residing estate or other estates in the same District Council (DC) constituency would be given to PUO households. If the household refuses all the three offers unreasonably, a Notice-to-Quit will be issued to terminate the tenancy of the household.

Households with disabled or elderly member aged 70 or above would be excluded from the UO list. UO households with elderly between 60 and 69 would be placed at the end of UO list for transfer. They may stay in the existing flat until there is a change in family circumstances, or the transfer priority is due or upon the review of the UO policy in 2023. However, UO households with disabled or elderly members are welcome to apply for transfer voluntarily to flats of suitable size according to their needs.

As incentives, DRA will be granted to all UO households upon their transfer to small flats. Moreover, they will be given transfer opportunities to new estates subject to the availability of resources. However, UO households which move out through other voluntary transfer exercises will not be granted DRA.

According to the enhanced measures for handling PUO cases endorsed by HA on 14 October 2014, households accepting PUO transfer with new tenancies signing on or after 15 October 2014 are provided with a rent waiver of three months, two months and one month correspondingly for the first, second and third housing offer. In addition, households becoming PUO cases due to decease of authorised person(s) are given a standard one year stayput period, counting from the death date of the authorised person(s).

10. Full Rent Exemption Scheme for Elderly Households

The Scheme provides a rent-free option for eligible elderly households upon transfer to a PRH flat of suitable size.

The households concerned must fulfil the following general criteria:

- (1) Households whose family members are all aged 70 or above;
- (2) Must fulfill one of the following criteria:
 - (a) Households regarded as under-occupation according to the following standards:

No. of Household Members (No. of Persons)	1	2	3	4	5	6
Internal Floor Area (IFA) exceeding m ²	25	35	44	56	62	71

- (b) Residing in HSC of Type I units;
 - (c) Residing in non-self-contained C1P units;
- (3) The tenancy status and occupancy position are in order; and
- (4) The household has not breached any terms of the Tenancy Agreement.

The household allocated with a flat under the Express Flat Allocation Scheme will not be eligible to apply until having lived in the flat for 3 years.

Applications are open throughout the year. Quotas are limited. A maximum of three housing offers will be given to eligible applying households either in the residing estate or other estates in the same PRH Application District for transfer to new or refurbished flats of suitable sizes. In addition to the enjoyment of full rent exemption, one-off Domestic Removal Allowance will be offered upon successful transfer.

Households with accumulated valid points less than 16 under the Marking Scheme can also apply for the above transfer schemes under items no. (5) to (10).

(B) Transfer Exercises for Sitting Tenants

1. Territory-wide Overcrowding Relief Exercise (TWOR) and Living Space Improvement Transfer Scheme (LSITS)

Taking into account the increasing demand for PRH and the fact that the basic housing needs of existing tenants had been met, Members of Subsidised Housing Committee endorsed at its meeting on 31.10.2016 that the Territory-wide Overcrowding Relief Transfer Exercise (TWOR) and the Living Space Improvement Transfer Scheme (LSITS) could be implemented in one-go starting from 2017/18. And, in order to expedite flat allocation to PRH applicants, these schemes will be arranged in the latter half of each year.

The TWOR and LSITS will be conducted centrally by the Applications Sub-section of the Housing Department (HD) once 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. Eligible applicants with 10 years or above continuous PRH residence period do not have locality restriction. They may select flat in any districts.

Under the above transfer schemes, all PRH households living below 7m² internal floor area (IFA) per person may apply for transfer to a larger flat. Applicants are subject to passing the Domestic Property Test (DPT) and the Comprehensive Means Test (CMT) with income and asset limits being used in the “Well-off Tenants Policies”.

The living density of applicants will determine the order of priority for flat selection, i.e. household with the highest density will be in the forefront. Should the density be the same, the household of a larger size will be given priority. In case both the living density and family size are the same, the length of residence in the existing tenancy will determine the order. In the end, for cases which cannot be differentiated through the aforesaid ways, priority on flat selection will be determined by computer randomly. On the production of medical certificate, an authorized member having an expected child of at least 16 weeks gestation as at the date of application, requiring non-temporary indoor use of wheelchair, being a tetraplegic patient, being a renal patient in need of continuous ambulatory peritoneal dialysis at home or being a hyperactive patient will have one-grade-up (one-head-up) in the calculation of household size and living density. The concerned household should raise its request for inclusion to the estate office when applying.

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 and assets once every two years irrespective of the length of their residence in public housing.

Unsuccessful applicants may apply again in the next transfer scheme. However, if an eligible applicant refuses the housing offers (including relinquishing his/ her chance for flat selection in the absence of prior written notification, failure to show up for flat selection and intake, and unreasonable refusal of the selected flat) in three exercises, his/ her eligibility for applying the transfer scheme will be frozen for one year counting from the day following the closing date of their last application.

Details on the arrangements and eligibility criteria of TWOR and LSITS will be put up on notice boards, posters and website of HA/ HD etc. for tenants' information.

2. Harmonious Families Transfer (HFT) Exercise

The HD 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) 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).

Applicant should be the tenant of a PRH household while the nominator can either be the tenant or an authorized person if the nominating family is an all elderly household. Otherwise, the nominator should be the tenant of a PRH household also. Elderly household applicants should be the parent(s)/ parent(s)-in-law of the nominators, whilst younger household applicants should be the child/ child-in-law of the nominators. The applicant and nominator must provide documentary proof on their relationship.

Elderly household (irrespective of the role as nominating or applying family) is entitled to join HFT exercise once with successful application, either by applying transfer or nominating younger household (son/ daughter/ daughter-in-law/ son-in-

law) for transfer (successful application refers to the acceptance of housing offer, no matter the family has moved into the offered flat or not). The elderly household who has successfully accepted housing transfer or nominated younger household for transfer under previous HFT exercise will be debarred from re-application in future HFT exercises.

For applicants who apply to cross district transfer to a more popular District, they should have a residence in PRH for at least seven years. If either nominating or applying family have a child aged 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.

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.

Section A

Chapter 6: Home Ownership Scheme

The Home Ownership Scheme (HOS) becomes a regular part of the government's housing policy. The Hong Kong Housing Authority (HA) is responsible for producing the new HOS flats and working out the implementation details. Application for the Sale of Home Ownership Scheme Flats 2020 (HOS 2020) commenced in September 2020.

Eligibility

Definition of Green Form Applicants

The following categories of persons can apply to purchase an HOS flat under Green Form (GF) status:

- (a) Households of Public Rental Housing (PRH) units under the HA (tenants under conditional tenancies or monthly licencees of HA Transitional Rental Housing units are not allowed to submit application);
- (b) Households of Group A Rental Estates (Rental Estates) under the Hong Kong Housing Society (HS) (households of Group B Rental Estates or monthly licencees of HS Transitional Rental Housing units are not allowed to submit application);
- (c) Persons falling into one of the following categories who are holders of valid "Green Form Certificate (GFC) – Applicable to Sale of Home Ownership Scheme Flat Only" issued by the Housing Department (HD)/ Urban Renewal Authority –
 - (i) PRH applicants who have passed the detailed vetting and whose eligibility for allocation of PRH has been established;
 - (ii) Junior civil servants under Civil Service Public Housing Quota or Special One-off Housing Allocation for Junior Civil Servants whose eligibility has been established;
 - (iii) Clearees affected in clearance exercises initiated by the Government and victims of natural disasters whose PRH eligibility has been established;
 - (iv) Clearees affected in urban renewal projects whose PRH eligibility has been established;

- (v) PRH residents whose eligibility for allocation of PRH flat has been established due to divorce/ splitting; and
- (vi) Former PRH tenants holding a Letter of Assurance (LA) issued by the HD whose eligibility for allocation of the PRH flat has been established.
- (d) Staff of Estate Assistant grade of the HD holding a valid LA issued by the HD; and
- (e) Recipients of Rent Allowance for the Elderly Scheme administered by the HA.

Applicants under GF Status must satisfy the following requirements:

- (a) The applicant must be at least 18 years old on the closing date of application and must become the owner of the flat purchased;
- (b) The applicant and all family members, if married, must apply together with their spouses (with the exception of those divorcee(s), or the spouses do not have the right to land in Hong Kong or are deceased);
- (c) The applicant or any member of the family has not breached any clause of the Tenancy Agreement/ any terms and conditions of their fixed-term licence of their PRH unit, has not accrued 16 or more valid points under the Marking Scheme for Estate Management Enforcement in Public Housing Estates, and has not been issued Notice-to-Quit to terminate the tenancy/ fixed-term licence, whether appeal procedure is in progress or not; and
- (d) Those who have purchased a flat or have obtained a loan or subsidies under any subsidised home ownership schemes, as well as their spouses (including the spouses of purchasers and loan/ subsidies receivers who were unmarried at that time). Even if the relevant owner/ borrower has sold the flat or repaid the loan, he/ she, as well as his/ her spouse, are not eligible to apply. Other family members will not be bound by this restriction provided that they meet the eligibility criteria.

Definition of White Form Applicants

The following categories of persons can apply to purchase a HOS flat under White Form (WF) status:

- (a) Households living in private housing;
- (b) Family member(s) of households living in PRH or Rental Estates or any subsidised housing scheme units under the HA or the HS; and

- (c) Flat owners and their authorised family members under HA's Tenants Purchase Scheme (TPS) for less than 10 years (from the date of Assignment of his/ her TPS flats with the HA) can apply for the purchase of a HOS flat by using WF, with no restriction on income and net asset limits and domestic property ownership, on condition that they can complete the sale of the TPS flats currently owned and occupied within three months from the date of signing of the Agreement for Sale and Purchase (ASP) of the HOS flats, or within the one-off extension of three months as may be granted by the HA.

The applicants under WF Status must satisfy the following requirements:

- (a) The applicant must be at least 18 years old and must become the owner of the flat purchased, and must have lived in Hong Kong for at least seven years on the closing date of application. The applicant and his/ her family member(s) listed in the application form are not subject to any conditions of stay in Hong Kong (except the condition on the limit of stay). Person(s) not having the right to land in Hong Kong cannot be included in the application form;
- (b) The applicant and all family members, if married, must apply together with their spouses (with the exception of those divorcee(s), or the spouses do not have the right to land in Hong Kong or are deceased);
- (c) Neither the applicant nor any member of the family has, during the period from 24 months preceding the closing date for submitting the application and up to the time of purchase or signing the ASP for a HOS flat, owned or co-owned any domestic property in Hong Kong or any interest in such kind of property; and
- (d) Those who have purchased a flat or have obtained a loan or subsidies under any subsidised home ownership schemes, as well as their spouses (including the spouses of purchasers and loan/ subsidies receivers who were unmarried at that time). Even if the relevant owner/ borrower has sold the flat or repaid the loan, he/ she, as well as his/ her spouse, are not eligible to apply. Other family members will not be bound by this restriction provided that they meet the eligibility criteria.

Sales Arrangements of HOS Flats

Application for the sale of HOS 2020 commenced in September 2020. The main features of the sales arrangements include the followings:

- Open for application by GF and WF applicants with the ratio for quota allocation between GF and WF applicants at 40:60. If the allocated quota for White Form applicants for a particular application category is not fully utilised, the remaining quota will be allocated to Green Form applicants of the same application category and vice versa.

- The HA sets a quota of 2,100 flats for applicants applying under the “Priority Scheme for Families with Elderly Members” and also sets aside 700 flats for one-person applicants.
- Applicants may choose either to submit paper-based application forms by post or by hand or to submit online applications for HOS 2020. For GF applicants who are living in the public rental housing estates of the HA or the rental estates of the HS and submit online application, their respective estate offices will contact them and verify their household information after receiving their online applications. The estate offices concerned will prepare hard copies of the application forms and the applicants and all family members aged 18 or above will have to sign the application forms and return them to their respective estate offices for further processing
- As HOS 2020 has been launched together with White Form Secondary Market Scheme 2020 (WSM 2020), the application procedures are streamlined. One single application form is used to cover both schemes while applicants may choose either HOS 2020, WSM 2020 or both. Application fees are \$250 for HOS 2019, \$160 for WSM 2020 and \$410 for both schemes.
- For the priority order in flat selection, family or one-person living in PRH estates affected by the HA’s announced clearance programme are allowed to select flats before families or one-person households of other Green Form categories and all White Form categories respectively. One-person applicants will be invited to select the remaining 700 flats, irrespective of size, after family applicants have selected their flats.
- GF applicants who obtained their PRH units through the Express Flat Allocation Scheme within 3 years from the date of tenancy commencement of their PRH units will be treated as if they were WF applicants in flat selection order, and any HOS flats taken up by this category of GF applicants will be counted against the WF quota. Upon signing the Deed of Assignment of their purchased flats, this category of GF applicants, similar to other GF applicants, have to surrender their PRH units to the HA.
- If Rental Estate tenants rehoused through the HS’s Express Flat Allocation Scheme For Group A Rental Estates (2019) apply within three years from the date of tenancy commencement of their rental units by using Green Form, they will be treated as if they were White Form applicants in terms of flat selection priority and will be put under the White Form queue. Any flats purchased by this category of Green Form applicants will be counted against the White Form quota. Upon signing the Deed of Assignment of their purchased flats, this category of Green Form applicants, similar to other Green Form applicants, have to surrender their rental units to the HS.

- The income and asset limits for WF applicants have been set according to the established methodology and reviewed before each sale exercise of HOS flats.
- The Income and Asset Limits applicable to the WF applicants of HOS 2020 are as follows:

Household Size	Total Monthly Household Income Limit (HK\$) (Note)	Total Net Household Asset Value Limit (HK\$)
1 person	33,000	850,000
2 persons or above	66,000	1,700,000

Note: Statutory contributions under the Mandatory Provident Fund (MPF) Scheme or other provident fund schemes are deductible from a household's income for the purpose of vetting the applicant's eligibility.

- According to the pricing policy on subsidized sale flats (SSF) introduced in 2018, the discount applied to the assessed market values of HOS flats for sale is determined on the basis of the affordability benchmark that at least 75 per cent of the flats for sale are affordable to the non-owner occupier households earning the median monthly household income, assuming that they need to spend no more than 40 per cent of their monthly income on mortgage payment. The discount rate is applicable to both new flats and unsold/rescinded flats put up for sale/resale in the same sale exercise.
- Flats to be sold for the first time under HOS 2020 and resale flats which were first put up for sale under HOS 2019 are subject to alienation restrictions stipulated in the terms of the Deed of Assignment and the terms, covenants and conditions contained in the Government Lease. The following alienation restrictions will apply to the owners for the above flats:

	Alienation Restrictions
Within the first two years from the date of the first Deed of Assignment of the flat from the HA to an owner (the first assignment):	<ul style="list-style-type: none"> • The owner has to sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium and at a price not more than the original purchase price under the first assignment.
Between the third to the tenth year from the date of the first assignment:	<ul style="list-style-type: none"> • The owner has to sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium and at his/ her own negotiated price.

	Alienation Restrictions
After ten years from the date of the first assignment:	<ul style="list-style-type: none"> • The owner may sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium and at his/ her own negotiated price. • The owner may also sell or let the flat in the open market after payment of premium.

- Resale flats which were first put up for sale under HOS 2018 are subject to alienation restrictions stipulated in the terms of the Deed of Assignment and the provisions in the Housing Ordinance (Cap. 283) and its subsequent amendments. The following alienation restrictions will apply to the owners of the above resale flats:

	Alienation Restrictions
Within the first two years from the date of the first Deed of Assignment:	<ul style="list-style-type: none"> • The owner has to offer to sell the flat to the HA. The flat is to be assigned to a nominee of the HA at the original purchase price in accordance with the procedures and requirements as from time to time stipulated by the HA.
Between the third to the fifth year from the date of the first assignment:	<ul style="list-style-type: none"> • The owner may either offer to sell the flat to the HA or sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium and at his/ her own negotiated price. • If the owner offers to sell the flat to the HA, the flat is to be assigned to a nominee of the HA at the price assessed by the Director of Housing (which is the market value as assessed by the Director of Housing at the time when the offer to sell the flat to the HA was made, less the original discount when the flat was purchased from the HA) in accordance with the procedures and requirements as from time to time stipulated by the HA.

	Alienation Restrictions
After five years from the date of the first assignment:	<ul style="list-style-type: none"> • The owner may sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium and at his/ her own negotiated price. • The owner may also sell or let the flat in the open market after payment of premium.

- The HA will decline all buyback offers for the 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.
- A one-year defects liability period from the date of assignment of individual flats is provided.
- A structural safety guarantee of 10 years from the date of building completion for HOS flats will be offered. For new HOS flats, the date of building completion for the purpose of the Structural Safety Guarantee will be the date of the Occupation Permit issued by the Independent Checking Unit under Permanent Secretary for Transport and Housing (Housing) in respect of the buildings concerned.

Section A

Chapter 7: Green Form Subsidised Home Ownership Scheme

In his 2015 Policy Address, the Chief Executive proposed to the Hong Kong Housing Authority (HA) that suitable flats should be identified among its public rental housing (PRH) developments under construction for sale to Green Form (GF) applicants in the form of a pilot scheme, with prices set at a level lower than those of Home Ownership Scheme (HOS) flats. This scheme will help GF applicants achieve home ownership while releasing more PRH flats for allocation to those awaiting for PRH allocation. HA selected the PRH development at San Po Kong (i.e. King Tai Court) as the first Green Form Subsidised Home Ownership Pilot Scheme project. The first batch of a total of 857 Green Form Subsidised Home Ownership Pilot Scheme flats were put up for pre-sale in October 2016 and only GF applicants were eligible for purchase. All flats offered under the Scheme were sold by February 2017.

HA's Subsidised Housing Committee (SHC) endorsed the regularisation of Green Form Subsidised Home Ownership Scheme (GSH) at its meeting on 30 January 2018.

Application for the Sale of Green Form Subsidised Home Ownership Scheme Flats 2020/21 (including Sales of Recovered Flats from Estates under Tenants Purchase Scheme) (GSH 2020/21) will be invited in May 2021, about 2,637 flats at Kai Chuen Court, unsold GSH flats from Sale of Green Form Subsidised Home Ownership Scheme Flats 2019 (GSH 2019) at Dip Tsui Court and Ching Fu Court and rescinded flats from GSH 2019 will put up for sale.

In addition, SHC's meeting on 28 July 2020 approved putting up recovered Tenants Purchase Scheme (TPS) flats for sale in the annual HOS and GSH sale exercises. The first batch of about 800 recovered TPS flats will put up for sale under the same sale exercise with GSH 2020/21.

Eligibility

Definition of GF Applicants

The following categories of persons can apply to purchase a GSH flat under GF status:

- (a) Households of PRH units under the HA (tenants under conditional tenancies, tenants allocated PRH units through the HA's Express Flat Allocation Scheme within three years from the date of commencement of their tenancies or monthly licencees of HA Transitional Rental Housing units are not allowed to submit application);

- (b) Households of Group A Rental Estates (Rental Estates) under the Hong Kong Housing Society (HS) (households of Group B Rental Estates, tenants allocated rental units through the HS's Express Flat Allocation Scheme For Group A Rental Estate within three years from the date of commencement of their tenancies or monthly licences of HS Transitional Rental Housing units are not allowed to submit application);
- (c) Households who are affected by HA's clearance programme of Block 10 and 11 of Shek Lei Interim Housing (IH) and holding with a valid "Green Form Certificate (GFC) - Applicable to Sale of Green Form Subsidised Home Ownership Scheme Flats Only" issued by the Housing Department (HD);
- (d) Persons falling into one of the following categories who are holders of valid "GFCs - Applicable to Sale of Green Form Subsidised Home Ownership Scheme Flats Only" issued by the HD/ Urban Renewal Authority (URA) –
 - (i) PRH applicants who have passed the detailed vetting and whose eligibility for allocation of PRH has been established;
 - (ii) Persons under Civil Service Public Housing Quota or Special One-off Housing Allocation for Junior Civil Servants whose eligibility has been established;
 - (iii) Clearees affected in clearance exercises initiated by the Government and victims of natural disasters whose PRH eligibility has been established;
 - (iv) Clearees affected in urban renewal projects whose PRH eligibility has been established;
 - (v) PRH residents whose eligibility for allocation of PRH flat has been established due to divorce/ splitting; and
 - (vi) Former PRH tenants holding a Letter of Assurance (LA) issued by the HD whose eligibility for allocation of the PRH flat has been established.
- (e) Staff of Estate Assistant grade of the HD who hold a valid LA issued by the HD; and
- (f) Recipients of the Rent Allowance for the Elderly Scheme administered by the HA.

Applicants under GF Status must satisfy the following requirements:

- (a) The applicant must be at least 18 years old on the closing date of application;
- (b) The applicant and all family members, if married, must apply together with their spouses (with the exception of those divorcee(s), or the spouses do not have the right to land in Hong Kong or are deceased). For divorce case, the divorcee must present the certificate of making Decree Nisi Absolute (Divorce) (Form 6 or Form

7B) and the date of divorce must be on or before the closing date of application, otherwise their spouses must be included in the same application form;

- (c) The applicant or any member of the family has not breached any clause of the tenancy agreement/ occupation licence/ any terms and conditions of their fixed-term licence of their PRH unit, has not accrued 16 or more valid points under the Marking Scheme for Estate Management Enforcement in Public Housing Estates, and has not been issued Notice-to-Quit to terminate the tenancy/ occupation licence/ fixed-term licence; and
- (d) Those who have purchased a flat or have obtained a loan or subsidies under any subsidised home ownership schemes, as well as their spouses (including the spouses of purchasers and loan/subsidies receivers who were unmarried at that time) even if the relevant owner/ borrower has sold the flat or repaid the loan, he/ she, as well as his/ her spouse, are not eligible to apply. Other family members will not be bound by this restriction provided that they meet the eligibility criteria.

Sales Arrangements of GSH Flats

The main features of the sales arrangements for GSH 2020/21 include the followings:

- The HA sets a quota of 800 GSH flats for applicants applying under the “Priority Scheme for Families with Elderly Members” and also sets aside 300 GSH flats for one-person applicants.
- In addition to the paper-based submission, applicants can complete the online application and pay the application fee through the HA/HD website. For GF applicants who are living in HA’s or the HS’s public housing estates or rental estates, staff of their respective Estate Offices/ District Tenancy Management Offices/ Rental Estates Office will contact the applicants and verify their household information and the eligibility of application after receiving the e-application forms. Applicants and all family members aged 18 or above should sign and return the e-application forms to their respective Estate Offices for further processing.
- To simplify the application procedure, applicants who opted joining the next HA’s Subsidised Sale Flats Sale Exercise in Part VII of the application form of Sale of Home Ownership Scheme Flats 2020 (HOS 2020) will be carried over the valid GF applications to GSH 2020/21 provided that they meet the eligibility criteria of GSH 2020/21. The applicants do not need to submit a separate application and pay the application fee for GSH 2020/21.
- For the priority order in flat selection, family or one-person applicants living in PRH estates affected by the HA’s announced clearance programme or the HA’s announced Interim Housing clearance programme are allowed to select flats before family or one-person applicants respectively.

Alienation Restriction

1. Green Form Subsidised Home Ownership Pilot Scheme flats (King Tai Court)

The following alienation restrictions apply to the sale of flats at King Tai Court in future:

- (a) Within the first two years from the date of the first Deed of Assignment of the flat from the HA to an owner (date of first assignment):

The owner has to offer to sell the flat to the HA. The HA will not buy back the flat, but will exercise the power under the Housing Ordinance (Cap. 283) to nominate a buyer. The flat is to be assigned to a nominee of the HA at the original purchase price in accordance with the procedures and requirements as from time to time stipulated by the HA. The HA will issue a Certificate of Eligibility to Sell (CES) certifying the flat owner's eligibility to find an eligible purchaser (who needs to be a buyer holding a Green Form Certificate of Eligibility to Purchase (GF CEP holder)) and the flat owner has to identify at his/ her own costs and expenses an eligible purchaser who will apply to the HA for nomination. If (i) no application for nomination is made to the HA or if all submitted applications are unsuccessful with no Letter of Nomination (LN) being issued by the HA within 6 months from the date of receipt of the offer to sell the flat to the HA; or (ii) after a LN has been issued by the HA the assignment of the flat is not completed within 4 months from the date of LN, whichever is the later, the flat owner may sell the flat in the open market after payment of premium. If the flat owner does not wish to sell the flat in the open market, he/ she may make a new offer for sale of the flat to the HA.

- (b) Between the third to the fifth years from the date of first assignment:

The flat owner may either:

- sell the flat in the HOS Secondary Market to a GF CEP holder nominated by the HA without payment of premium and at his/her own negotiated price; or
- offer to sell the flat to the HA. The HA will not buy back the flat, but will exercise the power under the Housing Ordinance (Cap. 283) to nominate a buyer. The flat is to be assigned to a nominee of the HA at the price assessed by the Director of Housing (which is the market price as assessed by the Director of Housing at the time when the offer to sell the flat to the HA was made, less the original discount when the flat was purchased from the HA) in accordance with the procedures and requirements as from time to time stipulated by the HA. The flat owner will need to apply for assessment of the price of the flat and pay the required administrative fee. The HA will issue a CES certifying the flat owner's eligibility to find an eligible purchaser (who needs to be a GF CEP holder), and the flat owner has to identify at his/ her own costs and expenses an eligible purchaser who will apply to the HA for nomination. If (i) no application for nomination is made to the HA or if all submitted applications are unsuccessful with no LN being issued by the HA within 6 months from the date of receipt of the offer to sell the flat to the HA,

or (ii) after a LN has been issued by the HA the assignment of the flat is not completed within 4 months from the date of LN, whichever is the later, the flat owner may sell the flat in the open market after payment of premium. If the flat owner does not wish to sell the flat in the open market, he/ she may make a new offer for sale of the flat to the HA.

(c) After five years from the date of first assignment:

The flat owner may either:

- sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium and at his/her own negotiated price; or
- sell the flat in the open market after payment of premium.

The HA will not accept any offer to sell from a Green Form Subsidised Home Ownership Pilot Scheme flat owner after five years from the date of first assignment.

2. Sale of Green Form Subsidised Home Ownership Scheme Flats 2018 (GSH 2018) (Lai Tsui Court)

The following alienation restrictions apply to the sale of flats at Lai Tsui Court:

(a) Within the first two years from the date of first assignment:

The owner has to offer to sell the flat to the HA. The HA will not buy back the flat, but will exercise the power under the Housing Ordinance (Cap. 283) to nominate a buyer. The flat is to be assigned to a GF buyer to be nominated by the HA at the original purchase price in accordance with the procedures and requirements as from time to time stipulated by the HA. The owner is required to pay the required administrative fee for the application for offer to sell.

(b) Between the third to the fifth years from the date of first assignment:

- The owner may either offer to sell the flat to the HA or sell the flat in the HOS Secondary Market to a GF buyer to be nominated by the HA without payment of premium and at his/her own negotiated price.
- If the owner offers to sell the flat to the HA, the HA will not buy back the flat, but will exercise the power under the Housing Ordinance (Cap. 283) to nominate a buyer. The flat is to be assigned to a GF buyer to be nominated by the HA at the price assessed by the Director of Housing (which is the market value as assessed by the Director of Housing at the time when the offer to sell the flat to the HA was made, less the original discount when the flat was purchased from the HA) in accordance with the procedures and requirements as from time to time stipulated by the HA. The owner will need to pay for the administrative fee for the application for offer to sell and for assessment of the price of the flat.

(c) After five years from the date of first assignment:

- The owner may sell the flat in the HOS Secondary Market to a GF buyer to be nominated by the HA without payment of premium and at his/her own negotiated price.
- The owner may also sell the flat in the open market after payment of premium.

The HA will not accept any offer to sell from a flat owner of GSH 2018 after five years from the date of first assignment.

3. GSH flats to be sold from 2019

HA's Subsidised Housing Committee endorsed the alienation restrictions for GSH flats to be sold from 2019 at its meeting on 16 November 2018. A purchaser who wishes to assign or let the flat after becoming an owner under the Deed of Assignment will be subject to the terms of the Deed of Assignment and the terms, covenants and conditions contained in the Government lease. The HA will not buy back or nominate a buyer (with the exception of HOS Secondary Market) to buy the GSH flats to be sold from 2019. The following alienation restrictions will apply to the owners for the sale of GSH flats to be sold from 2019:

(a) Within the first two years from the date of first assignment:

The owner has to sell the flat in the HOS Secondary Market to a GF buyer nominated by the HA without payment of premium and at a price not more than the original purchase price under the first assignment.

(b) Between the third to the tenth year from the date of first assignment:

The owner has to sell the flat in the HOS Secondary Market to a GF buyer nominated by the HA without payment of premium and at his/her own negotiated price.

(c) After ten years from the date of first assignment:

- The owner may sell the flat in the HOS Secondary Market to a GF buyer nominated by the HA without payment of premium and at his/her own negotiated price.
- The owner may also sell the flat in the open market after payment of premium.

The HA will not accept any offer to sell from a GSH flat owner after ten years from the date of first assignment.

4. Recovered TPS Flats

A purchaser who wishes to assign or let the recovered TPS flat after becoming an owner under this sale exercise as per the Deed of Assignment will be subject to the terms of the Deed of Assignment and the provisions in the Housing Ordinance (Cap. 283) and its subsequent amendments. The following alienation restrictions will apply to the owners:

- (a) Within the first two years from the Date of First Assignment:
- The owner may sell the flat back to the HA at the purchase price specified in the Deed of Assignment.
- (b) Between the third to the fifth year from the Date of First Assignment:
- The owner may sell the flat back to the HA at the buyback price to be assessed by the HA, which is the assessed market value at the time of offer deducting the original purchase discount.
 - If the HA declines to accept the buyback application, the owner may sell the flat in the open market subject to the payment of a premium to the HA.
 - The owner may also sell the flat to an eligible purchaser in the HOS Secondary Market without payment of a premium to the HA and at his/her own negotiated price.
- (c) After five years from the Date of First Assignment:
- The owner may sell the flat in the open market subject to payment of a premium to the HA.
 - The owner may also sell the flat to an eligible purchaser in the HOS Secondary Market without payment of a premium to the HA and at his/her own negotiated price.

Upon receipt of an application of offer to sell to the HA, the HA reserves the right to accept the assignment of the recovered TPS flat to the HA or to decline the offer in accordance with the prevailing policy.

Under the current policy, the HA will not accept any application/ offer to sell a recovered TPS flat back to the HA from an owner after 5-year alienation restrictions period from the Date of First Assignment.

5. Remarks

- The HA will decline all buyback offers for the GSH flats sold from 2016 onwards.

- The provision of mortgage guarantee in respect of loans granted by banks and other authorised financial institutions for the purchase of GSH flats has been continued.
- A one year defects liability period from the date of assignment of individual flats is provided.
- A structural safety guarantee (SSG) of 10 years from the date of building completion for GSH flats will be offered. For new GSH flats, the date of building completion for the purpose of the Structural Safety Guarantee will be the date of the Occupation Permit issued by the Independent Checking Unit under Permanent Secretary for Transport and Housing (Housing) in respect of the buildings concerned.
- The premium which the owner is required to pay is calculated based on the prevailing market value of the flat without alienation restrictions, and the difference between the original purchase price of the flat and its initial market value as specified in the first assignment. In other words, the premium is calculated by applying the discount of the original purchase price to the prevailing market value.
- Please refer to the HA/HD website (www.housingauthority.gov.hk) for details of the premium payment procedures.

Section A

Chapter 8: Extension of Green Form Status to Public Rental Housing Applicants

1. Home Ownership Scheme/ Green Form Subsidised Home Ownership Scheme/ Home Assistance Loan Scheme

PRH Applicants who have passed the detailed vetting (excluding those who are ex-owners/ ex-joint owners/ former recipients, as well as their spouses, of the Subsidised Sale Flats Scheme (SSFS) flats or of any loan/ subsidies under any subsidised home ownership schemes) may apply for Green Form Certificate (GFC) for purchase of a SSFS flat of HA or the Hong Kong Housing Society in lieu of allocation of PRH, including the regularized Green Form Subsidized Home Ownership Scheme endorsed by the Subsidized Housing Committee on 30 January 2018. Application for GFC can be made in person or in writing to the Applications Sub-section at Podium Level 2, Hong Kong Housing Authority Customer Service Centre, 3 Wang Tau Hom South Road, Lok Fu, Kowloon. The decision of the HA on 14 July 2004 to cancel the Home Assistance Loan Scheme is upheld.

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

Under the current policy, PRH applicants who have passed the detailed vetting ('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 Secondary Market (implemented by Housing Society)

Applicants can only opt for one of the above-mentioned subsidized home ownership schemes of the HA/ 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 withdraw the other applications, and their PRH applications will be cancelled.

Section A

Chapter 9: Home Ownership Scheme (HOS) Secondary Market

In an effort to increase the turnover of Home Ownership Scheme (HOS) flats and provide more choices for households of Public Rental Housing (PRH) units and Green Form Certificate holders to own a home, and at the same time more PRH units can be recovered for allocation to families in need, the Hong Kong Housing Authority (hereinafter abbreviated as HA) formally implemented the HOS Secondary Market Scheme (SMS) in June 1997.

The SMS is introduced to enable owners of flats sold by HA under various subsidised sale schemes (including HOS, Private Sector Participation Scheme (PSPS), Tenants Purchase Scheme (TPS) and Green Form Subsidised Home Ownership Pilot Scheme/ Green Form Subsidised Home Ownership Scheme (GSH), hereinafter collectively referred to as “HOS flats”) to sell their flats to persons nominated by HA without having to pay a premium.

HOS flats are sold subject to the terms of the Government lease and for some flats, subject also to the terms covenants and conditions contained in the Schedule to the Housing Ordinance and any amendments thereto (hereinafter referred to as “the Schedule”). HOS flats which are subject to the Schedule can be sold under SMS from the third year from the date of the first assignment, at freely negotiated price. For other HOS flats, (i) within the first two years of the date of the first assignment, the HOS flat can be sold under SMS at a price not more than the original purchase price under the first assignment; and (ii) from the third year onwards, the HOS flat can be sold under SMS at freely negotiated price. HOS flat owners should refer to the first assignment to ascertain whether their flats are subject to the Schedule. HOS owners may approach their respective Estate Office/ District Tenancy Management Office or HOS SMS Unit for enquiry.

Eligibility to Purchase a HOS/ PSPS/ TPS/ GSH Flat in the Secondary Market (under Green Form Status)

1. Households of Public Rental Housing (PRH) units under the HA, households of Rental Estates under the Hong Kong Housing Society (HS), authorized occupants of the HA's IH may, upon endorsement of their eligibility by their estate/ IH offices, apply to purchase a HOS flat in the Secondary Market. Upon execution of the deed of assignment, PRH tenants are required to serve a Notice to Quit to the HA to terminate the Tenancy Agreement/ Occupation License in respect of the PRH flats/ IH units that they are residing in and deliver vacant possession of the said unit to the HA within 60 days on or 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 approved, they will have to pay an occupation fee equal to three times the prevailing net rent/ licence fee of the unit plus rates. If they have been paying market rent/ licence fee before the deadline for vacating the unit, the occupation fee for extended stay will be charged at either the rate of market rent/ licence fee or three times the prevailing net rent/ licence fee of the unit plus rates, whichever is the higher.

2. Beneficiaries under HA's Rent Allowance for Elderly Scheme (RAES) are eligible to apply. Their RAES allowance will be automatically ceased upon purchase of a HOS/ PSPS/ TPS/ GSH flat.
3. All Green Form Certificate holders from HA/ Urban Renewal Authority (URA) and Estate Assistants holding a Letter of Assurance issued by the HA may also apply. Their application number will be cancelled and they will not be allocated any PRH flats upon the successful purchased deal.

Applicants under Green Form Status must satisfy the following requirements:

1. The Green Form applicant should come from one of the following categories:
 - (a) Households of PRH units under the HA (not applicable to tenants under conditional tenancies or monthly licencees of HA Transitional Rental Housing units);
 - (b) Households of Group A Rental Estates under the HS (not applicable to households of Group B Rental Estates or monthly licencees of HS Transitional Rental Housing units);
 - (c) Authorised residents of Interim Housing managed by HA;
 - (d) Holders of a valid "Green Form Certificate – Applicable to HOS Secondary Market Scheme only" issued by HA/ Urban Renewal Authority (URA);
 - (e) Recipients of Rent Allowance for Elderly Scheme (RAES);
 - (f) Staff of Estate Assistant grade who are holders of a valid Letter of Assurance issued by HA.
2. The applicant must be 18 years old or above;
3. The applicant and all family members, if married, must apply together with their spouses (with the exception of those divorcee(s) or the spouses do not have the right to land in Hong Kong);
4. The applicant and his/her family members must not breach any terms and conditions of the existing Tenancy Agreement/Occupation License (applicable only to households of HA/HS and licensees of IH);

5. Ex-owners of “HOS flats”, ex-Home Purchase Loan/ Home Assistance Loan recipients and their spouses are not eligible to purchase a HOS flat in the Secondary Market. Other family members whose deletion from the relevant records has been approved would not be bound by this restriction.

Please refer to the “HOS Secondary Market Scheme (Green Form Status) Application Guide” for details.

Extending the HOS Secondary Market to White Form Buyers

In response to the home ownership aspiration of the low to middle-income families, the HA launched the Interim Scheme to Extend the HOS Secondary Market to White Form Buyers (Interim Scheme). Eligible White Form applicants allotted with quotas may pay fees to apply to the HA and/ or the HS for the Certificate of Eligibility to Purchase (CEP) to purchase a flat with premium not yet paid on the HA’s HOS Secondary Market or the HS’s Flat-For-Sale Scheme (FFSS) Secondary Market.

Arrangement of the Interim Scheme

1. The first round of the Interim Scheme was launched in January 2013 with a quota of 5 000, including 4 500 for family applicants and 500 for one-person applicants. It was completed in April 2015.
2. The second round of the Interim Scheme was launched in August 2015 with a quota of 2 500, including 2 250 for family applicants and 250 for one-person applicants. It was completed in May 2017.

White Form Secondary Market Scheme

After comprehensive review, it was resolved at the meeting of the HA Subsidised Housing Committee held on 30.11.2017 to regularise the Interim Scheme as the White Form Secondary Market Scheme (WSM). The WSM 2018 with a quota of 2 500, including 2 250 for family applicants and 250 for one-person applicants was launched in March 2018.

The WSM 2019 with a quota of 3 000, including 2 700 for family applicants and 300 for one-person applicants was launched in May 2019.

The annual quota of WSM 2020 was increased to 4 500 while the allocation ratio for family and one-person applicants was maintained at 9:1.

Applicants under White Form Status falling under the following categories can apply for the scheme:

1. Households living in private housing;
2. Family member(s) of households living in PRH or any subsidised housing scheme units under the HA or the HS; and
3. On the closing date of application for WSM, flat owners and their authorised family member(s) under the TPS within 10 years from the date of Assignment for the purchase of their TPS flats from the HA.

The applicants under White Form Status must satisfy the following requirements:

1. Applicant can apply for WSM under one-person or family category;
2. The applicant must be at least 18 years old and must have lived in Hong Kong for at least seven years on the closing date of application and his/ her stay in Hong Kong is not subject to any conditions of stay (except the condition on the limit of stay);
3. The total monthly household income and the total net asset value in respect of the applicant and his/her family members should meet the limits;
4. Neither the applicant nor any member of the family listed on the application form has, during the period from 24 months preceding the closing date for submitting the application and up to the time of purchase or signing the Provisional Agreement for Sale and Purchase, owned or co-owned any domestic property in Hong Kong or any interest in such properties;
5. Those who have purchased a flat or have obtained a loan or subsidies under the various subsidised home ownership schemes, as well as their spouses (including the spouses of purchasers and loan/ subsidies receivers who were unmarried at that time) are ineligible applicants. Even though the relevant owner/ borrower has sold the flat or repaid the loan, he/ she, as well as his/ her spouse, are not eligible to apply.

Please refer to the Application Guide for details.

Resale Restrictions (Only applicable to buyers with White Form Status)

1. Within two years from the date of Assignment (“the restriction period”) of the flat (the Flat) purchased by the buyer(s) in the HOS Secondary Market/ the FFSS Secondary Market under the Interim Scheme/ WSM, the Flat cannot be sold

under the SMS for the HOS of the HA/ the FFSS of the HS. The HA or the HS will not buy back the Flat; but owner(s) can sell or let the flat in the open market after payment of premium. As to when can the premium can be made, applicants should take reference to the alienation restrictions on the individual court.

2. After the restriction period, the owners could opt to sell the Flat on HOS/ FFSS Secondary Market. After paying fees to apply to the HA or the HS for a Certificate of Availability for Sale, the owner(s) could sell the Flat in the Secondary Market by self-arrangement or through estate agents.

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 Hong Kong Housing Authority (HA) and the Hong Kong 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. No new application of the Scheme will be accepted now.

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 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. 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 and fulfilling the prevailing splitting criteria of the estate, 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) the 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 District Tenancy Management Office.
8. New tenants in TPS estates can purchase their flats with full credit applicable at the time of commencement of the tenancy in the first year and 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 authorized persons of reverted tenancy 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 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 units in the same block irrespective of floor level 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.

Rent Adjustment Mechanism

The Housing (Amendment) Bill 2007 (the Amendment Bill) introduced the current rent adjustment mechanism to provide for upward or downward adjustment of public rental housing (PRH) rent according to the changes in the household income of PRH tenants. The Amendment Bill was passed by the Legislative Council in June 2007 and came into operation on 1 January 2008.

According to the Housing Ordinance (Cap. 283), the HA shall conduct a rent review every two years and vary the PRH rent according to the change in the income index between the first and second periods covered by the review. If the income index for the second period is higher than the income index for the first period by more than 0.1%, HA shall increase the relevant rent by the rate of the increase of the income index or 10%, whichever is less; and if the income index for the second period is lower than the income index for the first period by more than 0.1%, HA shall reduce the relevant rent by the rate of reduction of the income index.

To provide a starting point for the current rent adjustment mechanism to operate effectively, the HA reduced PRH rent by 11.6% in August 2007. The first rent review exercise under the current rent adjustment mechanism was conducted in 2010 with an upward adjustment of rent by 4.68% which took effect from 1 September 2010.

The second rent review exercise was conducted in 2012 with an increase in PRH rent at the cap of 10% with effect from 1 September 2012, notwithstanding an increase of 16.24% in the income index in the periods covered by the review.

The third rent review exercise was conducted in 2014 with an increase in PRH rent at the cap of 10% with effect from 1 September 2014, notwithstanding an increase of 19.27% in the income index in the periods covered by the review.

The fourth rent review exercise was conducted in 2016 with an increase in PRH rent at the cap of 10% with effect from 1 September 2016, notwithstanding an increase of 16.11% in the income index in the periods covered by the review.

The fifth rent review exercise was conducted in 2018 with an increase in PRH rent at the cap of 10% with effect from 1 September 2018, notwithstanding an increase of 11.59% in the income index in the periods covered by the review.

The sixth rent review exercise was conducted in 2020 with an upward adjustment of rent by 9.66% which took effect from 1 September 2020.

Rent Setting for New Estates

The HA conducts two rent fixing exercises annually to determine the rents 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 dollars per m² of IFA and determined with reference to the location and comparable value of the estates concerned.

With the introduction of the current rent adjustment mechanism, the HA reduced the "best rent" for all districts by 11.6% with effect from August 2007. The same income index adopted under the current 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 under the six rent review exercises in 2010, 2012, 2014, 2016, 2018 and 2020 respectively, the district best rent was also adjusted by the same magnitude.

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 in 1992, 1995, 2002, 2005 and 2007. The operation of RAS was also enhanced in 2014 and 2016. 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 Income Limit for PRH; or
 - the rent-to-income ratio (RIR) exceeds 25%; or
 - the household income is between 50% and 70% of the Income Limit for PRH 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 Income Limit for PRH; 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 Income Limit for PRH; 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 biennially 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 or a change in number of family members. The HA will also conduct random checking to guard against possible abuse;
8. After RAS has been granted, RAS beneficiaries should also take the initiative to inform the Housing Department to stop the rent assistance when they become recipients of CSSA with rent allowance; and
9. After receiving rent assistance for four consecutive years, non-elderly RAS recipients living in newer block types in need of further assistance 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. For families who refuse the 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 Hong Kong 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 households who are eligible for Domestic Removal Allowance (for example, tenants affected by redevelopment/ clearance of estate) may also enjoy a rent-free period of one month in respect of their old tenancies apart from a 14-day 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 17 September 2018, the rent-free period in respect of the old tenancy will be from 17 September 2018 to 16 October 2018.

Section B

Chapter 4: Housing Subsidy Policy & Policy on Safeguarding Rational Allocation of Public Housing Resources (Commonly referred to as the “Well-off Tenants Policies”)

The Hong Kong Housing Authority (HA)'s Housing Subsidy Policy (HSP), which has been implemented since 1 April 1987, and the Policy on Safeguarding Rational Allocation of Public Housing Resources (SRA), which endorsed in April 1996, are commonly referred to as the “Well-off Tenants Policies” (WTP). In light of the increasing demand for public rental housing (PRH), the HA's Subsidised Housing Committee (SHC) considers that while making the best efforts to increase PRH supply, it is necessary to examine ways to better utilize PRH resources at the same time to ensure that efforts would be focused on allocating PRH resources to those with more pressing housing needs.

SHC endorsed revisions to the WTP on 9 December 2016 and the implementation details on 14 February 2017. The revised WTP has been implemented starting from the declaration cycle in October 2017. Details of the policies are as follows:

Basic Principles

1. PRH households whose family income exceeds 5 times the PRH income limits (PRHILs) or whose total household net asset value exceeds 100 times the PRHILs should vacate their PRH flats.
2. PRH households who have domestic property ownership in Hong Kong should vacate their PRH flats, irrespective of their levels of income or assets.
3. For households who do not have domestic property ownership in Hong Kong and whose household income and net asset value do not exceed the prescribed levels of income and net asset value, they may continue to live in their flats; if their household income exceed 2 times and not more than 3 times the PRHILs, they will be required to pay 1.5 times net rent plus rates; if their household income exceed 3 times and not more than 5 times the PRHILs, they will be required to pay double net rent plus rates.

Households Exempted from the WTP

- (i) All members aged 60 or above
- (ii) All members receiving Comprehensive Social Security Assistance
- (iii) All members eligible for/ receiving Disability Allowance from the Social Welfare Department

- (iv) All members in different combinations of (i), (ii) and/ or (iii) above
- (v) On shared tenancies

Declaration Arrangements

Households who have been living in PRH for 10 years are required to make a declaration biennially. In addition, households who are granted a new tenancy under the Policy on Grant of New Tenancy and households with their applications under the Tenancy Management Policies for PRH approved are also required to make a declaration biennially, irrespective of their length of residence.

Households who refuse to declare whether they have domestic property ownership in Hong Kong/ fill in the details about their family income and/ or declare whether or not their asset level exceed 100 times the PRHILs will need to vacate their PRH flats.

Households with less than 10 years' residence in PRH are not required to declare their income and assets. However, if the Housing Department (HD) finds that they have domestic property ownership in Hong Kong upon receipt of complaint(s), they will be required to vacate their PRH flats irrespective of their length of residence.

The income and net asset limits for WTP are subject to annual review. The prescribed limits effective from 1 April 2021 can be referred to Income and Net Asset Limits (HD1120E) (Rev. 03/2021).

Arrangements for those Identified to Vacate their PRH Flat

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

During the validity period of the "Fixed Term Licence", the households have to look for alternative accommodation themselves and surrender their PRH flats on or before the expiry of the "Fixed Term Licence". Households who meet the conditions of (i) to (iii) mentioned below may apply for grant of tenancy and payment of appropriate level of rent:

- (i) All family members in the tenancy do not have domestic property ownership in Hong Kong; and
- (ii) the household income does not exceed 5 times the prevailing PRHILs and the total household net asset value does not exceed 100 times the prevailing PRHILs for 3 consecutive months; or

- (iii) the household income and the total household net asset value immediately drop below the prevailing limits due to permanent reasons (deletion or addition of household members) during the month when the application is submitted.

Households whose applications are approved will be granted a Tenancy Agreement by HA and do not need to surrender their PRH flats. If their applications are not approved, they are required to surrender their PRH flats on or before the expiry date specified in the “Fixed Term Licence”.

Section B

Chapter 5: Biennial Inspection

To strengthen the public rental housing (PRH) and interim housing (IH) tenancy control, thus ensuring the proper utilisation 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.

HD staff would make use of a New Generation Mobile Device to conduct flat inspection. In the course of flat visit, households are required to produce their identity documents for verification of tenancy information. HD staff will also check the OP of the households concerned against the record of HD and input the findings to the Mobile Device. 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 ensuring proper utilisation of public housing resources.

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

Section B

Chapter 6: Deletion/ Addition/ Conditional Temporary Stay of Family Members

Deletion of Family Members

According to the Tenancy Agreement (TA) signed between the Hong Kong Housing Authority (HA) and the public rental housing (PRH) tenant, tenant and family members listed in the TA should take up the tenancy within one month after the commencement of the tenancy and 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. 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 PRH 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 PRH 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 PRH resources, if a PRH flat becomes under-occupied after deletion of household members, the household will become under-occupation (UO) household and has to move to a PRH flat of suitable size which HA considers appropriate for the family. The HA will adopt a phased approach to tackle the UO cases with priority accorded to handle Prioritised UO (PUO) cases (Note 1). If a PUO household (Note 2) refuses three 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.

Under the revised Well-off Tenant Policies (WTP) with effect from 1 October 2017, for households who failed the Comprehensive Means Test (CMT) (covering both income and asset tests (Note 3)) but passed the Domestic Property Test (DPT) (Note 4) and have family member(s) receiving/ eligible for receiving Social Welfare Department (SWD)'s

Disability Allowance (DA) (Note 5) being approved to continue living in the PRH flats, upon the death or moving out of the concerned family member(s) and subsequent deletion from the households, if the households do not have other family member(s) receiving/ eligible for receiving SWD's DA, the concerned households are required to be reassessed their eligibility for continuous living in PRH flats, including passing the CMT and DPT. Households who failed the CMT and/ or DPT or chose not to declare are required to vacate the PRH flats.

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. On the other hand, to ensure that efforts would be focused on allocating PRH resources to those with more pressing housing needs, HA's Subsidised Housing Committee (SHC) endorsed the revisions to the WTP and its implementation details on 9 December 2016 and 14 February 2017 respectively. SHC also endorsed consequential amendments to the Policy on Addition of family members, which is implemented with effect from 1 October 2017.

The revised policy is applicable to 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 members (APs), or if one of the parents who is an AP is genuinely alone (e.g. widower, widow, divorced person or the AP's spouse not being a Hong Kong resident, etc.) and, his/ her spouse should be among the 'permitted categories' for addition; Upon successful addition (except for addition of tenant's children), 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
3. the spouse/ 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 the grandchild 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' (C1P) flats and under Automatic Offer Scheme; or
8. one adult offspring of elderly tenant, together with his/ her family members, may apply for addition, subject to the 'one-line continuation rule' (i.e. neither addition of a branch family when there is already an adult offspring in the tenancy nor addition of an adult offspring when there is already a branch family in the tenancy will be allowed).

Except for Category (2) in respect of the addition of newborn babies and children under the age of 18 is exempted from the CMT and the DPT, for addition of persons under categories (1), (3)-(8), the whole household (including the member(s) to be added) must pass the CMT and DPT for assessment of its eligibility. The income and asset limits adopted for the CMT are the same as those used in the revised WTP. For addition of adult offspring, the adult offspring to be added should sign a declaration 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.

For the household who passes the DPT and with total household net asset value not exceeding 100 times of the Public Rental Housing Income Limits (PRHILs), upon successful addition, the households should pay normal rent, 1.5 times/ double net rent plus rates (Note 6) 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 assets biennially pursuant to the WTP (Note 7), including whether the household owns any domestic property in Hong Kong, to facilitate assessment of the eligibility for continuous renting of the PRH flats and the level of rent payable.

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 8) 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 9);
4. relative dependent on tenant.

Besides, the tenant may apply for conditional temporary stay for those aforesaid eight categories of persons who cannot be added into the tenancy because of failing CMT and/or DPT. However, they must prove that their temporary stays in the PRH flats are in genuine need.

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 apply for PRH to solve their housing problem. They may apply for PRH 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 WTP to the new household will depend on the length of residence in PRH of the elderly or young family, whichever is longer; and the income and assets test to be applied, will be in respect of the amalgamated household.

Note 1: The current UO standards and PUO thresholds are as below -

Family Size (person)	1	2	3	4	5	6
UO Standards IFA (m ²) exceeding	25	35	44	56	62	71
PUO Thresholds IFA (m ²) exceeding	30	42	53	67	74	85

Note 2: PUO households refer to those living in flats with an Internal Floor Area (IFA) exceeding the above prescribed thresholds and without elderly or disabled members.

Note 3: Total household income does not exceed 5 times the PRHILs and total household net asset value does not exceed 100 times the PRHILs.

Note 4: Domestic Property Test (DPT), i.e. all of the household members must not (i) own or co-own or have an interest in any domestic property in Hong Kong (including but not limited to trustee, executor, administrator or beneficiary having an interest in any domestic property in Hong Kong); or (ii) have entered into any agreement (including provisional agreement) to purchase any domestic property in Hong Kong; or (iii) hold (including holding individually and/ or together with any other household member(s) in the aggregate) 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 Building Authority, domestic building lots and Small House Grants approved by the Lands Department in Hong Kong.

Note 5: If the households concerned can submit a Medical Assessment Report issued by the Director of Health or the Chief Executive of Hospital Authority or a registered medical practitioner of a private hospital, certifying that the “disabling condition” of the household member is assessed in accordance with the definition of such a condition under the CSSA Scheme and the Social Security Allowance Scheme in order to substantiate his/ her “disabling condition” is eligible for DA as at the assessment day as specified on the Declaration Form, or if there is a letter issued by SWD which confirms the household member’s eligibility for DA (i.e. indicating that he/ she is permanently eligible for DA or still eligible for DA as at the assessment day as specified on the Declaration Form), the households concerned will be treated as the same as households with members receiving DA.

Note 6: The household should pay the normal rent if the total household income does not exceed 2 times the PRHILs; pay 1.5 times net rent plus rates if such income falls between 2 and 3 times the PRHILs; pay double net rent plus rates if such income falls between 3 and 5 times the PRHILs.

Note 7: First review may be less than 2 years.

Note 8: Tenants in the following conditions are considered "needy"-

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

Note 9: 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 the grandchild 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.

Section B

Chapter 7: 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. On the other hand, HA's Subsidised Housing Committee (SHC) endorsed the revisions to the "Well-off Tenants Policies" (WTP) and the implementation details on 9 December 2016 and 14 February 2017 respectively in order to ensure that efforts would be focused on allocating public rental housing (PRH) resources to those with more pressing housing needs. SHC also endorsed consequential amendments to the Policy on GNT. Starting from 1 October 2017, upon the death or moving out (Note 1) of a tenant, the surviving spouse who is an authorized member (AP) of the PRH flat and is residing in the premises may take over the tenancy unconditionally. However, for those households who failed the comprehensive means test (CMT) covering both income and asset (Note 2) but passed domestic property test (DPT) (Note 3) were approved for continuation of PRH tenancies under the Well-off Tenants Policies due to tenants' receiving/ eligible for receiving Social Welfare Department (SWD)'s Disability Allowance (DA) (Note 4), upon the death or moving out of the concerned tenants, if the households do not have other family members receiving/ eligible for receiving SWD's DA, the concerned households are required to be reassessed their eligibility for continuous living in the PRH flats, including passing the CMT and DPT, even if the applicant for change of tenant is the surviving spouse. Where there is no surviving spouse in the tenancy, the tenancy may be granted to an authorized member (Note 5) who is an AP residing in the PRH flat. However, this household has to undergo a comprehensive means test (CMT) covering both income and assets (Note 2), and the domestic property test (DPT) (Note 3), in order to determine the eligibility for grant of a new tenancy and the level of rent payable.

The following PRH households will be exempted from the CMT and DPT 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 Families Priority Scheme") before the effective date (i.e. 5 February 1999) of the GNT Policy (Note 6);
- (3) households who have appointed an elderly member to be the principal tenant under the previous "Enhancement Schemes for Sitting Tenants" before the effective date (i.e. 5 February 1999) of the GNT Policy (Note 6);
- (4) households with all family members receiving Comprehensive Social Security Assistance (CSSA);

- (5) households with all family members aged 60 or above;
- (6) compassionate and special cases recommended by the relevant government departments/ organizations;
- (7) households with all family members receiving/ eligible for receiving SWD's Disability Allowance (DA) (Note 4); and
- (8) households with all family members in different combinations of (4), (5) and (7) above.

The GNT policy adopts the income and asset limits used in the WTP for CMT (reviewed annually).

The following limits take effect from 1 April 2021 and are subject to annual review -

Household Size	Income Limits (per month) (2 times the 2021/2022 Public Rental Housing Income Limits)	Income Limits (per month) (3 times the 2021/2022 Public Rental Housing Income Limits)	Income Limits (per month) (5 times the 2021/2022 Public Rental Housing Income Limits)	Net Asset Limits (100 times the 2021/2022 Public Rental Housing Income Limits)
1 person	\$25,880	\$38,820	\$64,700	\$1,300,000*
2 persons	\$39,100	\$58,650	\$97,750	\$1,960,000*
3 persons	\$48,820	\$73,230	\$122,050	\$2,450,000*
4 persons	\$61,900	\$92,850	\$154,750	\$3,100,000
5 persons	\$74,360	\$111,540	\$185,900	\$3,720,000
6 persons	\$81,680	\$122,520	\$204,200	\$4,090,000
7 persons	\$93,540	\$140,310	\$233,850	\$4,680,000
8 persons	\$104,620	\$156,930	\$261,550	\$5,240,000
9 persons	\$115,420	\$173,130	\$288,550	\$5,780,000
10 persons or more	\$125,960	\$188,940	\$314,900	\$6,300,000

* 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. \$3,100,000

For households who do not have domestic property ownership in Hong Kong and whose total household net asset value does not exceed 100 times the Public Rental Housing Income Limits (PRHILs), if their total household income does not exceed 2 times the PRHILs, they will be granted a new tenancy and pay normal rent. If their total household income falls between 2 and 3 times the PRHILs, they will be granted a new tenancy and pay 1.5 times net rent plus rates. If their total household income falls between 3 and 5 times the PRHILs, they will be granted a new tenancy and pay double

net rent plus rates. For households with family member(s) (not all family members of the household) receiving/ eligible for receiving SWD's DA, they can continue to live in their PRH flats even if their total household income and/ or total household net asset value exceed the relevant limits. However, they will need to pay the corresponding rent (Note 7) based on their income level. For households with domestic property ownership in Hong Kong, they will not be granted a new tenancy and are required to vacate their PRH flats, even if they have member(s) receiving/ eligible for receiving SWD's DA.

Households acquiring a new tenancy under the GNT Policy, irrespective of their length of residence in PRH, will be required to declare income and assets biennially pursuant to the WTP (Note 8), including whether they own any domestic property in Hong Kong, so as to determine the eligibility for continuous renting the PRH and the level of rent payable.

For households with domestic property ownership in Hong Kong/ total household income exceeds 5 times the PRHILs/ total household net asset value exceeds 100 times the PRHILs, or those who choose not to declare household income/ assets/ whether they own any domestic property in Hong Kong, they will not be granted a new tenancy and are required to vacate their PRH flats. Those still in need of accommodation may, before expiry of Notice-to-quit, 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 higher).

If extra-rent payers can prove that their total household income has dropped below/ between the then prescribed PRHILs for a continuous period of 3 months, they may apply for reversion to payment of lower rent. If the drop in total household income is of permanent nature, they may apply immediately.

For households who are required to vacate their PRH flats due to exceeding income/ asset limits or possession of domestic property ownership in Hong Kong, or for those chose not to declare, during the temporary stay period, if they can prove that their total household income and total household net asset value does not exceed the prescribed limit for a continuous period of 3 months, and have met the no-domestic-property requirement, they may apply for grant of new tenancy. If the drop in total household income and total household net asset value are of permanent nature, they may apply immediately.

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

Note 1: Reasons for moving out include admitted into Residential Care Homes for the Elderly, joining the Portable Comprehensive Social Security Assistance Scheme for Elderly Persons Retiring to Guangdong & Fujian Province, joining the Guangdong Scheme and Fujian Scheme, etc.

Note 2: Total household income does not exceed 5 times the PRHILs and total household net asset value does not exceed 100 times the PRHILs.

Note 3: ‘Domestic property test’: The applicant and/ or his/ her family members must not: (a) own or co-own or have an interest in any domestic property in Hong Kong (including but not limited to trustee, executor, administrator or beneficiary having an interest in any domestic property in Hong Kong); or (b) have entered into any agreement (including provisional agreement) to purchase any domestic property in Hong Kong; or (c) hold (including holding individually and/ or together with any other household member(s) in the aggregate) 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 Building Authority, domestic building lots and Small House Grants approved by the Lands Department in Hong Kong.

Note 4: If the households concerned can submit a Medical Assessment Report issued by the Director of Health or the Chief Executive of Hospital Authority or a registered medical practitioner of a private hospital, certifying that the “disabling condition” of the household member is assessed in accordance with the definition of such a condition under the CSSA Scheme and the Social Security Allowance Scheme in order to substantiate his/ her “disabling condition” is eligible for DA as at the assessment day as specified on the Declaration Form, or if there is a letter issued by SWD which confirms the household member’s eligibility for DA (i.e. indicating that he/ she is permanently eligible for DA or still eligible for DA as at the assessment day as specified on the Declaration Form), the households concerned will be treated as the same as households with members receiving DA.

Note 5: Where there is no surviving spouse in the tenancy, the authorized members registered in the tenancy should follow the sequence below for nomination of a Principal tenant:

- (1) The adult offspring whose spouse and/ or child(ren) has/ have been registered in the tenancy;
- (2) The adult offspring has been registered in the tenancy;
- (3) The adult authorized member has been registered in the tenancy.

Note 6: Exemption applies to those cases with the applicant of the new tenancy of which he/ she or his/ her spouse was the applicant of the originated public rental housing (PRH) application.

Note 7: Households whose total household income does not exceed 2 times the PRHILs will be required to pay normal rent; if their total household income falls between 2 and 3 times the PRHILs, they will be required to pay 1.5 times net rent plus rates; if the total household income falls between 3 and 5 times the PRHILs, they will be required to pay double net rent plus rates; if the total household income exceeds 5 times the PRHILs, they will be required to pay double net rent plus rates or market rent (whichever is higher).

Note 8: First review may be less than 2 years.

Section B

Chapter 8: 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 marital 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 authorised occupants in the tenancy); or
- 2 the party comprising all authorised 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 who has not been given custody of any child or with no authorised occupant in the tenancy opting to live with will be required to leave the PRH flat upon divorce. 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 registration of one-person application 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 each divorcee has one or more authorised occupants (such as grown-up children, parents, in-laws etc.) in the tenancy opting to live with him/ her respectively, 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 Income and Asset Limits of application for PRH; and
- 2 Domestic property test (DPT), i.e. 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, irrespective of their length of residence in PRH, both parties are required to declare their household income and assets biennially pursuant to the “Well-off Tenants Policies” (Note), including whether they own any domestic property in Hong Kong, so as to determine the eligibility for continuous renting the PRH and the level of rent payable.

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.

Divorce between Cohabiting Tenants or Authorised Occupants

The policy on Housing Arrangements for Divorced Couples in PRH Flats is not applicable to cohabiting tenants or authorised occupants (such as offspring and his/ her spouse in the tenancy). These households will have to make their own accommodation arrangements. Tenant should not be deprived of the tenancy right because of the

divorce between authorised 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.

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 (CR) 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 levels for PRH application, 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. However, if he/ she is reconfirmed to be eligible for CR, a normal tenancy for the flat under existing CT will be granted.

Note: First review may be less than 2 years.

Section B

Chapter 9: 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 and make referral to the relevant government departments/ organisations for assessment and recommendation, if required.

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 pass the domestic property test (DPT) (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 subsidised home ownership schemes 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 and assets including whether they own any domestic property in Hong Kong under the revised “Well-off Tenants Policies” (WTP) 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.

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 PRH application levels; and
 - (b) both the main and splinter households should pass the DPT.
2. If both the main and splinter households pass the above tests (CMT & DPT), HA will refer the splitting request to the relevant government departments/ organisations for assessment. For recommended case, the splinter household will be offered a refurbished flat in the New Territories (NT). They may choose to purchase a flat under the subsidised home ownership schemes 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 assets pursuant to the WTP biennially (Note 2), including whether they own any domestic property in Hong Kong, irrespective of their length of residence in PRH, so as to determine their eligibility for continuous renting the PRH flats and the level of rent payable.
4. If either the main household or the splinter family fails the CMT and/ or cannot pass the DPT, the splitting application will not be considered. If the party passes the DPT 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 the relevant government departments/ organisations for assistance, as appropriate.
6. If either or both parties fail the CMT and/ or cannot pass the DPT, 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 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: Domestic property test (DPT) means all the household members must not (i) own or co-own or have an interest in any domestic property in Hong Kong (including but not limited to trustee, executor, administrator or beneficiary having an interest in any domestic property in Hong Kong); or (ii) have entered into any agreement (including provisional agreement) to purchase any domestic property in Hong Kong; or (iii) hold (including holding individually and/ or together with any other household member(s) in the aggregate) more than 50% of shares in a company which owns, directly or through its subsidiaries, any domestic property in Hong Kong from the date of related applications. Domestic property includes any domestic property, uncompleted private domestic property, rooftop structure approved by the Building Authority, domestic building lots and Small House Grants approved by the Lands Department in Hong Kong.

Note 2: First review may be less than 2 years.

Section B

Chapter 10: Surrender of Public Rental Housing Flats upon Acquisition of Other Forms of Subsidised Housing

To address to 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 Hong Kong Housing Authority (HA) implements the policy on 'Surrender of Public Rental Housing Flats upon Acquisition of Other Forms 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 PRH unit to the HA within **60 days** upon:

1. the date of commencement of new PRH tenancies/ IH licences (including Hong Kong Housing Society (HS) tenancies);
2. [Applicable to subsidised sale flats launched by HA and HS on or before 30 January 2018]
the date of taking over keys of the flats purchased under Home Ownership Scheme (HOS)/ Green Form Subsidised Home Ownership Scheme (GSH)/ Private Sector Participation Scheme (PSPS)/ Subsidised Sale Flats (SSF) Projects;
3. [Applicable to subsidised sale flats launched by HA and HS on or after 31 January 2018]
(i) the date of taking over keys of the flats purchased under HOS/ GSH/ PSPS/ SSF Projects; or (ii) the 10th working day from the date of assignment (both dates inclusive), whichever is earlier.
4. the execution of deed of assignments of the flats purchased under HA's HOS Secondary Market Scheme or HS's Flat-for-Sale Scheme Secondary Market;

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, to pay 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 executes the deed of assignment of the flat purchased under HA's HOS Secondary Market on 4.1.2019, he/ she is required to surrender his/ her PRH flat to HA on or before 4.3.2019 by serving a NTQ. In case of need, he/ she may apply for an extension of stay, up till 3.4.2019. An occupation fee is payable during the extended stay from 5.3.2019 to 3.4.2019.

Estate Clearance Cases

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

Section B

Chapter 11: Appeal Procedures against Notice-to-quit Issued and Restrictions on Households in Tenancy Breach

Any tenant with substantiated serious breach of leasing condition or management policies of the Hong Kong Housing Authority (HA), the HA will issue a Notice-to-quit (NTQ) to the concerned tenant to terminate tenancy and require him/ her to vacate the flat. For tenancy breach or NTQ issued due to Marking Scheme, the ex-tenant and all family members aged 18 or above will be subject to the following restrictions starting from the following day upon the expiry of the NTQ:

- (a) their live Public Rental Housing (PRH) applications will be frozen during a 2- year's Time Bar Period (counting from the following day upon the expiry of the NTQ). Waiting time during the frozen period will not be counted;
- (b) their fresh PRH applications will be rejected during the 2-year's Time Bar Period; and
- (c) they will not be offered a flat of better quality than the original PRH flat (in respect of geographical locality, age of building and floor level) upon flat allocation.

The NTQ 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 in writing to the Appeal Panel (Housing), not later than 15 days after the date on which the NTQ has been issued. 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 consider permitting a family member in the tenancy agreement to lodge appeal on behalf of the tenant. The Appeal Panel (Housing) will arrange an appeal hearing and make a decision on tenant's appeal against termination of tenancy.

Section B

Chapter 12: Decoration Contractor System

The Decoration Contractor (DC) System aims at protecting the interests of public rental housing (PRH) tenants and Home Ownership Scheme (HOS)/ Green Form Subsidised Home Ownership Scheme (GSH) flat owners by preventing infiltration of illegal elements and providing more choices of decoration contractors for new PRH tenants and HOS/ GSH flat owners so that indoor decoration works in new estates and courts can be carried out in an orderly manner during intake period.

The Housing Department (HD) has established a set of eligibility criteria for registration of DCs on the “Reference List of Decoration Contractor” (the Reference 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 those DCs allocated to estates/ courts by HD for undertaking decoration works for tenants of new PRH estates or flat owners of new HOS/ GSH courts. With a view to providing sufficient DCs for carrying out decoration works, the ratio of 1 contractor to every 250 households is adopted. A priority list for appointment of DCs is decided by ballot and, when the priority list is about to be exhausted, another ballot will be conducted.

PRH tenants/ HOS and GSH flat owners who wish to decorate their units are free to appoint any DCs on the Reference List, or any decoration companies on the market, or to carry out the decoration works by themselves. Negotiation of decoration prices is a matter between tenants/ owners and DCs. 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/ owner agrees to place his/ her order. As DCs are not employed or engaged by Hong Kong Housing Authority (HA) or HD, nor are DCs agents or representatives of HA or HD, any dispute or claim for loss or damages arising from the decoration works shall be dealt with and resolved by the DCs and tenants/ owners concerned. HA or HD accepts no legal liability whatsoever.

Upon completion of the decoration works, HD will collect tenants’/ owners’ views and assess the DCs’ performance under a point system. Estate/ court staff will also maintain close contact with local Police Stations during intake of new estates/ courts and will request more police patrols in these estates/ courts in a bid to curb crime and triad activities.

Section B

Chapter 13: Clothes-drying Facilities of Estates

Housing Authority (HA)'s public housing units are provided with indoor laundry racks, laundry pole holders or external laundry racks. New rental flats completed after 2011 in general are installed with the 'parallel rods' laundry rack on external facade as an enhancement to meet tenants' expectation.

In 2014, HA endorsed a programme for replacing the traditional laundry poles holders with laundry racks. The programme was completed in 2018.

In addition, HA endorsed in 2016 the addition of laundry rods as landlord's fixtures for seven specified block types of the public housing. With individual tenants' agreement, the associated fixed type window grilles will be replaced by openable type. The specified block types include Harmony Blocks, New Harmony 1 Blocks (NH1), New Harmony 1 Annex 5 Blocks (AX5), New Cruciform Blocks (NCB), Single Aspect Blocks (SAB), Small Household Blocks (SHB) and Non-standard Blocks (NST). The programme was completed in 2020.

For those laundry rods previously installed by tenants with the HA's approval and in compliance with the Housing Department (HD)'s guidelines, they will be retained and HA will take over the maintenance responsibility.

Section B

Chapter 14: Security Service and Installations

A full standard security system, consisting of security gates at block entrances and staircase exits; doorphone system; closed circuit television cameras (CCTV) inside lift cars and at main entrances and a security counter at G/F lobby has been provided for most of the domestic blocks of the Housing Authority. One security guard is on service 24 hours at the security counter to provide control and monitoring of people circulation and activities inside the lifts. CCTV are connected to the security control room manned by security supervisors and security guards around the clock. They will monitor the security condition for various blocks of the estates, and provide necessary support in case of need. Tenants can communicate with their visitors through the doorphone system and are able to monitor the entrance of the block and the inside of the lift car through their television sets at home.

For those very few remaining blocks without a full standard security system, a CCTV system inside the lift cars is provided and connected to the security control room. Tenants can also monitor the activities inside lift cars through either their own television sets or a monitor at the main lobby. Besides, electronic patrol monitoring systems have been installed in these blocks and guard will patrol each floor and the surroundings of the blocks. Except for those blocks where the residents/ EMAC had decided to suspend the work, Housing Department (HD) completed all the installation of the above full standard security systems on 31 March 2004. If the residents/ EMAC who had suspended the work, want to reverse their decision, HD will consider their requests individually.

Section B

Chapter 15: 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 and pose danger 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 government 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 16: Emergency Alarm System

Emergency Alarm System (EAS)

The Housing Authority (HA) has provided/ installed two types of EAS for 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. 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. From February 2021, the HA has extended the subsidy for EAS to cover mobile devices, including EAS mobile phones and watches, mobile app for smart phones and other products.

To qualify for the EAS Grant, applicants 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 Living Allowance (Note) administered by the SWD, which are -

	Monthly Income Limits (with effect from 1 February 2021)	Asset Limits (with effect from 1 February 2021)
Single Person	\$10,330	\$365,000
Married Couple	\$15,620	\$554,000

The EAS Grant is given to eligible elderly on a reimbursement basis for a one-off installation cost/service charge 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.

^{Note} The income and assets limits for applicants and the relevant computation method are based on the prevailing limits and eligibility criteria for Old Age Living Allowance prescribed by SWD. Applicants may browse the relevant information on the SWD website: www.swd.gov.hk [Public Services> Social Security> Social Security Allowance Scheme: Application for Social Security Allowance Guidance Notes (Eligibility Criteria: Income and Assets Limits for Old Age Living Allowance applicants)], and the SWD hotline is 2343 2255.

Section B

Chapter 17: Services and Facilities for Persons with Disabilities

Flat Allocation

In allocation of public rental housing flats, the Housing Department (HD) will provide appropriate assistance for persons with disabilities (PWDs) and chronic diseases by considering their needs. For the convenience of non-temporarily wheelchair-bound persons, the HD will offer them with flats on floors accessible by lifts. Prior to making a formal offer, we shall arrange the wheelchair-bound person and the occupational therapist/ physiotherapist concerned to visit the targeted flat for pre-allocation inspection. If the occupational therapist/ physiotherapist considers that the flat is suitable for allocation to the wheelchair-bound person and his/ her recommended modification works is feasible, we shall proceed to arrange the formal flat allocation. If the flat is considered unsuitable for the wheelchair-bound person, the said arrangement will not be counted as a housing offer, and we will arrange another flat for inspection.

Adaptation Works

If a flat has to be converted to cater for the needs of individual PWDs, the HD will undertake the full cost incurred. Conversion works include widening of the doorway with provision of a ramp where practicable, conversion of the bath tub into a shower area, installation of grab rails in the bathroom, raising of the floor slab of the balcony to make it level with that of the living room, etc.

Flat Transfer

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

50% Concessionary Discount on Monthly and Hourly Parking Fees

Private car or motorcycle drivers may enjoy a 50% concessionary discount on monthly parking fees of the carparks under the Hong Kong Housing Authority (HA) if they are living or working in the public housing estate where the carpark is located, and are holding an approval letter from the Commissioner for Transport or a valid Disabled Person's Parking Permit (DPPP) issued by the Transport Department. In addition,

private car or motorcycle drivers holding the approval letter or DPPP may enjoy a 50% concessionary discount on hourly parking fees of the HA's carparks.

Flashing-light Doorbell and Visual Fire Alarm System

When necessary, hearing-impaired persons may apply to the HD for the free installation of a flashing-light doorbell for their ease of answering the door and free installation of visual fire alarm system for alerting them to escape in case of fire.

Service Dog

Keeping of dogs inside leased premises without the prior written consent of the HA is prohibited. In general, the HA will not approve applications for dog keeping; except under special situations (e.g. keeping guide dogs for tenants with visual and audio disabilities; or keeping companion dogs for tenants in need of being accompanied by a dog for mental support, with the provision of medical support from medical practitioners or psychologists), conditional approvals may be considered.

In-flat Repair Works

If it is necessary 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 the 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 mobility of PWDs and their access to the facilities in the estates. The HD will continue to carry out various improvement works to enhance the barrier-free access provisions in existing estates.

Assistance Provided in Case of Emergency

Households having family members with disabilities, such as hearing impairment, visual impairment, mobility handicap (wheelchair-bound), tetraplegia, or those who are required to undergo renal dialysis at home or having chronic diseases in need of special care, may opt for the special notification service provided by the HD. Tenants are required to provide their emergency telephone contacts and other relevant information to the staff of the estate offices and authorise them to notify the contact person(s) in case of suspension of fresh water, electricity supply or lift service, or in emergency (e.g. fire),

and to transfer such information to other departments such as the Police, Fire Services Department, in case of emergency for contact purpose.

Others

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

Section B

Chapter 18: Housing Arrangements for Tenants Affected by Estate Clearance

Depending on the availability of resources, the Hong Kong Housing Authority (HA) would, as far as possible, make use of the suitable rehousing resources in the vicinity of the estates for rehousing the households affected by the estate clearance. The affected households could submit applications to the HA to move to the refurbished flats in PRH estates in other districts. Subject to the availability of suitable resources, HA would make arrangements for those households as far as practicable.

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

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

- rehousing to a singleton household flat in newly built estate and priority will be accorded to disabled household ; or
- rehousing to a refurbished flat but subject to the availability of resources ; or
- payment of a Singleton Allowance 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 2-person household flat in newly built estate and priority will be accorded to household with disability members; or
- rehousing to a refurbished flat but subject to the availability of resources; or
- payment of a Doubleton Allowance 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 any form of subsidized housing for two years upon receipt of the allowance.

Apart from the choice of moving to PRH flats, affected households* who wish to purchase a Home Ownership Scheme (HOS) flat or a Green Form Subsidised Home Ownership Scheme (GSH) Flat will be accorded priority in the upcoming sale of HOS or GSH flats subject to approval of Subsidised Housing Committee when the relevant paper on the sales arrangement is put up for consideration.

* Not applicable to splinter households

Section B

Chapter 19: 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 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 organised with a view to enhancing tenants' understanding of housing policies/ services and encouraging tenants' participation in estate management matters.

To promote neighbourliness in public housing estates, the Hong Kong Housing Authority (HA) endorsed in July 2009 the implementation of the enhanced partnering arrangements, under which the EMACs can use up to 30% of the EMAC funds to carry out community building functions in partnership with Non-governmental Organisations (NGOs). In March 2013, the HA further approved to allow each EMAC to organize on its own one community building function per annum when sufficient NGO partners cannot be engaged to achieve the target number of functions.

Section B

Chapter 20: 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.

Misdeeds under the Marking Scheme

Starting from 1 January 2009, there are 28 misdeed items under the Marking Scheme, which 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 or above have been recorded within two years, the tenancy/ licence will be subject to termination.

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 PRH application), 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 break the bad habits.

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

When the number of valid points accrues to 10 (or less than 10 but with 3 point-allotments), a warning letter will be served to the concerned household. 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. A manager grade housing staff would interview the tenant and the family member who committed the misdeeds to reiterate the possible consequences of tenancy termination if there is further accumulation of points under the Marking Scheme.

When 16 valid points have been accrued, the subject tenancy will be terminated by the service of a notice-to-quit (NTQ) 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 and the adult family members whose tenancies have been terminated by the Hong Kong Housing Authority (HA), due to Marking Scheme or tenancy breach, their applications for PRH will be barred for two years, counting from the day after NTQ expiry date. The HD will not offer a flat of better quality (in respect of geographical locality, age of building and floor level as compared with their previous public housing flats) to them upon rehousing through PRH application after the lapse of two years. The above restrictions are also applicable to the ex-licencees and their family members of interim housing.

Details of misdeeds covered by the Marking Scheme and their implementation

To encourage timely correction of bad habits, the Warning System (1 written warning) is applicable to some of these misdeeds. The tenants will be allotted points when the same misdeed is committed again despite warning.

Tenants who conduct misdeeds which will seriously affect estate hygiene, e.g. spitting in public areas or smoking in the statutory no smoking areas, they will be issued with Fixed Penalty Notice and allotted points. For tenant who commits throwing objects from height that may cause serious danger or personal injury, HA will even terminate the tenancy.

The List of Misdeeds under the Marking Scheme is detailed as follows:

Misdeeds	Warning will be given prior to point allotment
Category A (3 penalty points)	
Drying clothes in public areas (except in areas designated by the Housing Department)	✓
Hanging floor mop outside the window or balcony*	✓
Putting dripping object at window, balcony or façade*	✓
Dripping oil from exhaust fan*	✓
Category B (5 penalty points)	
Littering	
Disposing of domestic refuse indiscriminately, such as improper disposal in lift lobbies or inside bins without cover	
Keeping animal, bird or livestock inside leased premises without prior written consent of the Landlord (Note 1)*	
Allowing animal and livestock under charge to foul public places with faeces	
Obstructing corridors or stairs with sundry items rendering cleansing difficult	✓
Boiling wax in public areas	
Causing mosquito breeding by accumulating stagnant water*	✓
Smoking or carrying a lighted cigarette in estate common area (Note 2)	
Causing noise nuisance (Note 3)*	✓
Illegal gambling in public places	
Water dripping from air-conditioner	✓
Category C (7 penalty points)	
Throwing objects from height that jeopardise environmental hygiene*	
Spitting in public areas	
Urinating and defecating in public places	
Dumping or disposing of decoration debris indiscriminately at refuse collection point, within building or in other public areas	
Denying HD staff or staff representing HD entry for repairs responsible by HD (Note 4)*	✓
Refusing repair of leaking pipes or sanitary fittings responsible by the tenant*	✓
Damaging down/ sewage pipes causing leakage to the flat below*	✓
Using leased premises as food factory or storage*	

Misdeeds	Warning will be given prior to point allotment
Illegal hawking of cooked food	
Damaging or stealing Hong Kong Housing Authority's property	
Accumulating a large quantity of refuse or waste inside leased premises, creating offensive smell and hygienic nuisance*	✓
Using leased premises for illegal purpose (Note 5)*	
Category D (15 penalty points)	
Throwing objects from height that may cause danger or personal injury (Note 6)*	

*14 items of misdeeds applicable to Tenant Purchase Scheme/ Buy-or-Rent Option estates

Note 1: HA endorsed on 25.9.2003 to uphold the ban on dogs in public housing estates while granting a general permission for the keeping of small household pets (including desexed cats but excluding pigeons) that do not pose any health hazard and do not cause any nuisance. Wild lives, exotic animals and domesticated farm animals are strictly prohibited.

The HD has adopted the “Temporary Permission Rule” to handle dogs kept in public housing before implementation of the Marking Scheme. According to the Rule, an one-off permission was given to tenants who applied to continue keeping those small dogs (i.e. less than 20 kg in weight) that had been kept in the leased premises before 1 August 2003. Tenants who have been 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) in leased premises without prior written consent of the Landlord will be allotted penalty points under the Marking Scheme.

Note 2: '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.

Subject to the consent of local Estate Management Advisory Committee, smoking area may be designated in the estate. The number of smoking areas can be adjusted (A maximum up to five locations).

Note 3: Apart from related enforcement action under the Marking Scheme, the Noise Control Ordinance also provides legislative control over noise at any time. A 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 4: Repair items include internal fixtures and fittings, drains and pipes and structural members such as ceiling, walls and floors, etc. The misdeed also covers cases in which the tenant denies the entry of HD's staff/ representative(s) into the flat to conduct repair inspection.

Note 5: If the convicted person is the tenant of the flat, the tenancy agreement concerned will be terminated according to the prevailing terms thereof.

Note 6: For households who have thrown objects from height that may cause serious danger or personal injury, the HA will terminate the subject tenancy by issuing a Notice-to-quit in pursuance of the Housing Ordinance.

Section B

Chapter 21: Letting of Commercial Premises by Open Tender

I. Eligibility of Tenderer

1. Tenderers must tender for Hong Kong Housing Authority's commercial premises in his personal capacity (at the age of 18 years or above) or in the name of a body corporate.
2. 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.

II. Ways of Submitting the Tender Form

1. Tenders are invited weekly in general (usually every Friday) through Hong Kong Housing Authority/ Housing Department (HKHA/ HD) Web Site and newspaper advertisement for leasing of new commercial premises and vacant commercial premises surrendered to Hong Kong Housing Authority. Details of the commercial premises, including location, approximate area, designated trade and reference rent are publicized through HKHA/ HD's Web Site: www.housingauthority.gov.hk/.
2. Prospective tenderers may download the respective Tender Forms and Conditions of Tender at Hong Kong Housing Authority/ Housing Department (HKHA/ HD) Web Site: www.housingauthority.gov.hk/. Prospective tenderers may also obtain Tender Forms and Conditions of Tender at the reception counter of the Commercial Properties Management Unit at Wing A, Level 3, Hong Kong Housing Authority Customer Service Centre, 3 Wang Tau Hom South Road, Kowloon and at the designated estate/ shopping centre offices.
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 by hand in the Tender Box of the Commercial Properties Management Unit, Housing Department located at Wing A, Level 3, 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 tender closing time and date will automatically be deferred to 10:00 a.m. on the following Monday or next earliest possible working day of the following week in the following circumstances:
 - (i) If Tropical Cyclone Warning Signal No. 8 or above is issued before and remains in force for any duration within two (2) hours before the tender closing time on the tender closing date; or
 - (ii) If a “Black” Rainstorm Warning is announced by the Government (via the Information Services Department) before and remains in force for any duration within two (2) hours before the tender closing time on the tender closing date; or
 - (iii) When the Director of Housing announces the closure of the Hong Kong Housing Authority Customer Service Centre due to unforeseen circumstances and remains closed for any duration within two (2) hours before the tender closing time on the tender closing date.

For the avoidance of doubt, the tender closing time and date will remain unchanged if Tropical Cyclone Warning Signal No. 8 or above or the “Black” Rainstorm Warning is lowered or cancelled, or the Hong Kong Housing Authority Customer Service Centre is reopened, two (2) hours or more before the tender closing time on the tender closing date.

III. 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 designated trades such as bank and large premises with an area over 250m² such as restaurants, supermarkets & etc., a fixed term of 6 years without an option to renew is usually adopted.
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 following:

Size of Premises	Rent-free Period
Less than 100m ²	1 month
100m ² - 250m ²	Between 2 months
250m ²	Larger than 3 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 Hong Kong 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 Hong Kong Housing Authority under the tenancy agreement, the tenant shall forthwith pay to the Hong Kong 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 Hong Kong 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 until full payments are made. 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, and that Hong Kong Housing Authority reserves the right to let other premises in the estate/ shopping centre in whatever manner for the same trade according to the needs as assessed by Hong Kong Housing Authority. Change of usage 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 Hong Kong 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 Hong Kong Housing Authority shall think fit without any interference or any claim or demand for compensation whatsoever by the Tenant.

IV. 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 21.5% 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 21.5% 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 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 building services 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.

V. 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 Wing A, Level 3, 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.

VI. 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 22: Letting of Commercial Premises by Restricted Tender

I. Guidelines for Letting by Restricted Tender

Shops in Hong Kong Housing Authority Shopping Centres are let by tender and by restricted tender. Letting by restricted tender 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 clean 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 body corporate 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

II. Eligibility of Client

1. Clients, if in personal capacity, must be 18 years of age or over or in the form of a body corporate.
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.

III. Ways of Submitting the Leasing Proposal

1. All leasing proposals should contain the following:
 - (a) Name of the prospective tenant;
 - (b) Proposed trade and 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, latest Annual Return of Directors filed with the Company Registrar, Certificate of Incorporation, 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 2(c) and 2(d) 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, and provide the comparable turnover of other outlets for reference.

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 Wing A, Level 3, 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 tender 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 issued before and remains in force for any duration within two (2) hours before the tender closing time on the tender closing date; or
 - (b) if a “Black” Rainstorm Warning is announced by the Government (via the Information Services Department) before and remains in force for any duration within two (2) hours before the tender closing time on the tender closing date; or

- (c) When the Director of the Housing announces the closure of the Hong Kong Housing Authority Customer Service Centre due to unforeseen circumstances and remains closed for any duration within two (2) hours before the tender closing time of the tender closing date.

For the avoidance of doubt, the tender closing time and date will remain unchanged if Tropical Cyclone Warning Signal No. 8 or above or the “Black” Rainstorm Warning is lowered or cancelled, or the Hong Kong Housing Authority Customer Service Centre is reopened, two (2) hours or more before the tender closing time on the tender closing date.

IV. 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 body corporate 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 following:

Size of Premises	Rent-free Period
Less than 100m ²	1 month
100m ² - 250m ²	Between 2 months
Larger than 250m ²	3 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 Hong Kong 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 Hong Kong Housing Authority under the tenancy agreement, the tenant shall forthwith pay to the Hong Kong 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, shopping centre improvement programme 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 until full payments are made. 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 re-let 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, and that Hong Kong Housing Authority reserves the right to let other premises in the estate in whatever manner for the same trade according to the needs as assessed by Hong Kong Housing Authority. Change of usage 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, Hong Kong 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 Hong Kong Housing Authority shall think fit without any interference or any claim or demand for compensation whatsoever by the Tenant.

V. 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 21.5% 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 21.5% 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, prospective tenants should note that their proposed conversion plan should only lie within the leased area (excluding the services rooms as specified) 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 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.

10. 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 building services 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.

VI. Normal Leasing Procedures through Restricted Tender

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 or average 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 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 while bank guarantee shall be released to the tenant provided that there shall be no outstanding rent, and/ or rates, air-conditioning charge or other outstanding breaches of the tenancy agreement.

VII. 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 restricted 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 leasing proposals from such clients. The decision by the Director of Housing as to whether the restricted tender 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. Any client who attempts to influence consideration of his or her leasing proposal by approaching any member of the staff of the Housing Department or by the use of any other improper means shall render his or her leasing proposal invalid.
6. Client shall not communicate to any person other than Housing Department the amount of the rental offer, adjust the amount of the rental offer by arrangement with any other person, make any arrangement with any other person about whether or not he/ she or that other person should or should not submit a leasing proposal or otherwise collude with any other person in any manner whatsoever in the letting process until the bidder is notified by the staff of the Housing Department of the outcome of the letting exercise. Any breach of or non-compliance with this clause by the client shall, without affecting the client's liability for such breach or non-compliance, invalidate his/ her leasing proposal.
7. Clause 6 shall have no application to the client's communications in strict confidence with his/ her own consultants or insurers to solicit their assistance in preparation for submission of the leasing proposal.
8. Client shall submit to Housing Department a duly signed confirmation letter for submission of leasing proposal together with the leasing proposal. The letter shall be signed by a person authorized to sign the leasing proposal and tenancy agreement on the client's behalf.
9. 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.

VIII. Inclusion of Hong Kong Housing Authority's Client List

Persons interested in leasing shop premises by restricted tender are advised to apply in advance for inclusion in the Hong Kong Housing Authority's Client List concerned. For determination of the client's eligibility for letting by restricted tender, 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 Accounts
10. Recent Six Months Current Account Statements

Time frame for vetting the application for inclusion into the Hong Kong 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 within 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
Wing A, Level 3,
3 Wang Tau Hom South Road, Kowloon,
Hong Kong

Tel: 2711 5138

Section B

Chapter 23: Short Term Letting of Commercial Premises (by Commercial Properties Management Unit)

I. Eligibility of Tenderers/ Applicants

1. Tenderers must tender for Hong Kong Housing Authority's commercial premises in his personal capacity (at the age of 18 years or above) or in the name of a body corporate.
2. 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 Tender/ Application Form the names and addresses of such person or persons. If no such disclosure is made, the person signing the Tender/ 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.

II. Ways of Submitting the Tender/ Application

1. Tenderers/ Applicants are invited through Hong Kong Housing Authority/ Housing Department (HKHA/ HD) Web Site and newspaper advertisement 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 Wing A, Level 3, 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 Hong Kong Housing Authority/ Housing Department (HKHA/ 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 Wing A, Level 3, 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 HKHA/ 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 Wing A, Level 3, 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.

III. 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 until full payments are made. 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, 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 usage 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 Hong Kong 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 Hong Kong Housing Authority shall think fit without any interference or any claim or demand for compensation whatsoever by the tenant.

IV. 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 21.5% 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 21.5% 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 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.

V. 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.

VI. 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 tender/ 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/ applications in return for a reward.
4. Any tenderer/ applicant who attempts to influence consideration of his or her tender/ 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 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 24: The Enhanced Marking Scheme for Commercial Properties (the Scheme)

To enhance the environmental hygiene of the commercial properties, the Housing Authority (HA) has extended the Yellow Line Scheme for implementation of the Scheme to target at misdeeds that have adverse effects on management and environmental issues of commercial facilities. The Scheme 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 when enforcing the termination provision in the tenancy agreement.

Operation of the Scheme

The Scheme covers all commercial tenancies/ licences of shops (excluding Councillor's offices), shopstalls, cooked food stalls and storerooms. Penalty points will be allotted according to the degree of seriousness of misdeeds. Points allotted will remain valid for a period of two years and will be cleared only upon expiry of the validity period. For any objection to the points allotted, tenants may raise the appeal to the Housing Manager concerned through the appeal mechanism. The tenants will be alerted once the accrued points reached 10 or above. Action for tenancy termination by the HA will be triggered pursuant to Section 19(1)(b) of the Housing Ordinance when the marks accumulated to 16 or above within two years. The tenant concerned may appeal to the Appeal Panel (Housing) against the termination of tenancy. The expelled tenants will be barred from leasing any HA's commercial premises for two years upon termination of tenancy under the Scheme.

List of Misdeeds under the Scheme (w.e.f. 1.10.2011)

Category P (3 penalty points)

- | | |
|-----|---|
| P1* | Causing obstruction in the public areas |
| P2* | Deposit of paraphernalia indiscriminately atop the shopstall |
| P3* | Causing blockage of floor drain and refusing to take timely remedial action |
| P4* | Overspill of exclusively used grease trap |

Category Q (5 penalty points)

Q1	Disposing of trade refuse/ junk/ rubbish indiscriminately in public areas
Q2	Accumulating refuse/ wastes inside the leased premises, creating offensive smell and hygienic nuisance
Q3	Unauthorised tapping/ improper use of water from HA's water points
Q4	Playing Mahjong, Tin Kau and card games with gambling elements including Sap Sam Cheung inside the leased premises

Category R (7 penalty points)

R1#	Unauthorised sale of cooked food/ operation of food factory
R2*	Denying the Housing Department (HD) staff or staff representing HD entry for inspection or repairs

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

* 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.

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 HA.

Section B

Chapter 25: 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 Hong Kong 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: Verbal and written notice will be given to the tenant before allotting points under this misdeed.

Section B

Chapter 26: 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 owe any debts to HA, 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 HA for any loss if a relative or the executor of the estate of late tenant subsequently claims for the deposit against HA. If ex-tenant does not owe any debts to HA, 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 B

Chapter 27: Arrangements on Display of Publicity Materials (PMs) and Arrangements on Electioneering Activities during Election Period

Arrangements on Display of PMs

1. To ensure fairness and neatness in the display of PMs, such as banners/ publicity boards, posters and pamphlets/ leaflets, display zones/ display spots (as marked in the attached layout plan) have been designated. All Members of the Legislative Council (LC) or District Councils (DCs), local Non-governmental Organisations (NGOs), local Mutual Aid Committees/ Residents' Associations and deserving applications from other approved charitable/ non-profit making organisations may make use of these spots to display PMs or deliver PMs into the mail boxes of tenants. The applicant should be responsible for the contents of his/ her PMs and shall indemnify the Housing Authority (HA) and Housing Department (HD) against all claims, losses and damages as a consequence of or arising from the display or delivery of or any matter in relation to such PMs. Location of the display zones/ display spots may be reviewed and altered according to changing need without prior notice. Other regulations are appended below –
 - (A) **Designated display spots in public rental housing (PRH) estate are provided for display of PMs by all Councillors, and local Resident Associations or Non-governmental Organisations (NGOs) to disseminate information to residents on their services, activities and other issues of general public interests. PMs displayed should be informative, welfare-/ service-providing and non-profit-making in nature; and should not carry any messages that are unlawful, obscene, defamatory, insinuating, criticising or denouncing individual persons/ parties. This is to avoid applicants using it as a platform for mutually criticising and causing disputes within the local community in order that a harmonious, safe and peaceful living environment can be maintained. We will review the overall contents of PMs, not limited to specific words/ images/ photos. PMs that criticising or monitoring the government on policy implementation, or the business operations of public organisations/ public utilities companies may normally be allowed if they comply with the guidelines as mentioned above.**
 - (i) **Banners/ Publicity Boards (Note)**
 - (a) Local elected DC Member will be given reserved quota for

display of one banner/ publicity board at each banner/ publicity board display zone of the estate covered by his/ her DC constituency, but in total not more than four in an estate within his/ her DC constituency.

- (b) Written applications from other applicants will be processed on estate basis, which, together with a copy of the banner/ publicity board, should be submitted between 7 to 20 working days prior to the commencement of the display period. Local elected DC Member(s) are also required to submit their applications.
- (c) Applications will be limited to only 2 banners/ publicity boards at different banner/ publicity board display zones, and will be determined by ballot. Such arrangements are not applicable to local elected DC Member with reserved quota.
- (d) Size of the displayed banners/ publicity boards should not exceed 1 m x 2.5 m.
- (e) Display period starts from the first day of the month as designated by estate office and would not exceed 2 months. The applicant can change the contents of the banners/ publicity boards once within the two-month display period subject to the prior approval of the estate office. A duly completed Application Form, together with a copy of the banner/ publicity board with new content, should be submitted to the estate office 7 working days prior to the change.
- (f) For the sake of safety, publicity boards are preferably fixed on railings only.

(ii) **Posters (Note)**

- (a) A reserved quota of not more than three A3-size or six A4-size posters at each poster display zone of each estate covered by his/ her DC constituency, is allowed for local elected DC Members. Each of the elected LC Members of the LC geographical constituency concerned and each of the five LC Members from functional constituency - DC (Second), are allowed to display one A3-size or two A4-size posters at each poster display zone under reserved quota in his/ her constituency.

- (b) Applications from other applicants will be on estate basis, which will be processed on a “first-come-first-served” basis. Only one application for one A3 size or two A4 size posters at each poster display zone of the estate is allowed for each round of application.
- (c) Consent of the estate office evidenced by estate office chop stamped on the posters concerned should be sought by the applicant or his/ her representative in person prior to the display of posters on the designated notice boards.
- (d) All displayed posters will be cleared before 9:00 a.m. on the 1st, 11th and 21st of each month regardless of the approval dates.
- (e) In view of the limited space available, posters larger than A3 size (i.e. 42cm x 30cm) will not be accepted.

(iii) Pamphlets/ Leaflets/ Work Reports

PMs not larger than A4-size may also be placed at tower guard counters for collection by tenants for not more than two weeks upon approval by the estate office. A duly completed application form, together with a copy of the PM should be submitted to the estate office two working days in advance. Uncollected pamphlets/ leaflets will be removed for recycling purpose upon expiry of the display period.

(iv) Vetting and Appeal Arrangement

It usually takes two working days to complete the approval/ reject of an application for display of PMs by estate office. To maintain consistency in handling applications among estates offices, PMs with complicated or controversial contents will be referred to the Panel ¹ at Headquarters for review. Should applicants not satisfy with the Panel’s decision and lodge appeal, the Panel will bring up the case to the subject Senior Housing Manager or even higher up to Chief Housing Manager at headquarters level for further review. Estate staff will then inform the applicants the progress of the review/ appeal or the final outcome.

- (B) PMs directly delivered into tenants' mail boxes (such as pamphlets/ leaflets/ work reports) should not carry messages that are unlawful, obscene, defamatory, or insinuating and profit-making in nature, also should not criticise or denounce individual persons/ parties.**

Applications for direct delivery of PMs into tenants' mail boxes by Members of the LC or DCs or local NGOs, charitable/ non-profit-making organisations, may be entertained (excluding those tenants who have notified the estate office of their opt-out arrangement in respect of direct delivery of PMs). Applicants should be responsible for the PMs delivered. With a view to maintaining a harmonious, safe and peaceful living environment to our residents, it should not be used as a platform for mutually criticism, thus causing disputes within the local community. A written undertaking should be submitted to estate office two working days prior to the delivery.

(C) Removal of Displayed PMs

PMs for which approval has not been given, has been revoked or those breaching display conditions, will be cleared away and disposed of without prior notice. The administrative cost may be recovered from the respective applicants/ organisations.

(D) Management/ Regulatory Measures

Apart from the actions mentioned in paragraph (C) above, management/ regulatory measures may also be taken. If non-compliance is first found, an advisory letter will be issued to the applicant/ organisation. In the event of recurrence within 6 months from the first non-compliance, a warning letter will be issued to the applicant/ organisation. In case of repeated recurrence of non-compliance within 6 months from the date of the last recurrence, applications for the same type of PM from the same applicant will be stopped processing/ accepting for one time (for banners) or for a period of 30 calendar days (for other PMs).

2. The approval for the display of PMs, direct delivery of PMs into tenants' mail boxes, or placing PMs at tower guard counters/ guard posts, may be revoked at any time without prior notice. PMs with commercial elements or applications from an individual acting on his/ her own private capacity for display or delivery into tenants' mail boxes, would not be approved.
3. Without limitation to the first sentence in paragraph 2 above, with respect to PMs for display, starting from 2 weeks before the beginning of the election period² to 2 weeks after the end of the election period of a public election, the HA/ HD may, depending on the needs, temporarily suspend the processing of applications and/ or revoke the approvals already given, in respect of all or some display spots. For

the purposes of this paragraph, “public election” means an election (including general election, ordinary election and by-election) of the Chief Executive, the Election Committee subsector(s), the Legislative Council, the District Council(s) and an election (including ordinary election and by-election) as defined from time to time under the Village Representative Election Ordinance (Cap. 576). Approvals already given to an incumbent Member of the Legislative Council or District Council will not normally be revoked where the public election in question is a by-election of the Chief Executive, the Election Committee subsector(s), Legislative Council or District Council, or an election (including ordinary election and by-election) as defined from time to time under the Village Representative Election Ordinance (Cap. 576), provided that the relevant Member is not a candidate in the said election, and provided that he/ she continues to comply with the terms and conditions set out in these Guidelines, including paragraph 1(A). **The contents of the relevant PMs to be displayed shall not promote or prejudice the election of any candidate in any public election, nor shall PMs be displayed for such purposes.**

Arrangements on Electioneering Activities during Election Period

1. HA has always been committed to assisting the public elections and providing a platform for candidates for holding electioneering activities in equality and fairness in public rental housing (PRH) estates.
2. Holding electioneering activities in PRH estates
 - (i) Delivery of election advertisements (EAs) into residents’ mail boxes

Candidates must apply at least two clear working days³ in advance and prior approval from Housing Managers/ Property Service Managers concerned is required.

- (ii) Home visit
 - (a) Candidates must apply at least two clear working days in advance and prior approval from Housing Managers/ Property Service Managers concerned is required.
 - (b) If two or more applications for the same session of a day at the same housing block are received two clear working days before the intended visits, the candidates will be advised to negotiate among themselves for a compromise. If a compromise cannot be reached, the allocation of sessions for conducting the home visits in individual housing blocks will be made by drawing of lots in the presence of the candidates or their election agents, if possible, at a time decided by the Housing Managers/ Property Service Managers of the estate concerned.

- (iii) Holding meetings/ exhibitions/ activities in PRH estates
 - (a) Candidates must apply at least two clear working days in advance and prior approval from Housing Managers/ Property Service Managers concerned is required.
 - (b) If two or more applications for the same venue and the same period are received two clear working days before the meeting/ exhibitions/ activity takes place, the applicants will be advised to negotiate among themselves to reach a compromise. If a compromise cannot be reached, the venue will be allocated by drawing of lots at a time to be decided by the Housing Managers/ Property Service Managers concerned.
- 3. Having referenced to the arrangements of the Electoral and Affairs Committee (EAC) and relevant Government Departments/ Organisations, HA adjusted its arrangements on electioneering activities during election period. In view of candidates' number could only be determined in the briefing held by EAC and be allocated of the designated spots for display of EAs, including the display spots in PRH estates of HA, HA allows the candidates to launch their electioneering activities in PRH estates on the day after the briefing accordingly.

Note –

Applications from government departments will be decided by the Housing Managers/ Property Services Managers of the estate having regard to local situations.

¹ The Panel comprises four Housing Managers.

² According to the respective electoral regulation, “election period” is defined as the period beginning on the first day of the nomination period and ending on the day on which the polling ends, or on the day on which a declaration is made under section 22 of the Chief Executive Election Ordinance (Cap. 569), under section 19 or 22 of the Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541I), under section 42C or 46 of the Legislative Council Ordinance (Cap. 542) or section 22C of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D), under section 39 of the District Councils Ordinance (Cap. 547), or under section 29 of the Village Representative Election Ordinance (Cap. 576) or section 19 of the Electoral Procedure (Village Representative Election) Regulation (Cap. 541L) in respect of the elections of the Chief Executive, the Election Committee subsector(s), the Legislative Council, the District Council(s) and elections under the Village Representative Election Ordinance (Cap. 576) respectively.

³ Counting of “two clear working days” – Only working days are counted.

Section B

Chapter 28: Assurance of Future Accommodations for Certain Vacating Tenants

Letters of assurance (LA) of future offer of a Public Rental Housing (PRH) flat when housing needs arise will be issued by the Hong Kong Housing Authority (HA) to tenants who vacate PRH flats because special conditions obliged them to live elsewhere, but they need to satisfy the eligibility criteria for PRH application at the time of redemption and other conditions set out in the LA.

Subject to the concerned PRH flat can be recovered (except for sharing household) without breach of Tenancy Agreement, HA will issue LAs to tenants who are willing to vacate their flats for the special reasons listed below:

1. Admission into Residential Care Homes for the Elderly (RCHE);
2. Joining the Portable Comprehensive Social Security Assistance (PCSSA) Scheme for Elderly Persons Retiring to Guangdong & Fujian Province;
3. Joining the Guangdong (GD) Scheme;
4. Joining the Fujian (FJ) Scheme;
5. Absence due to employment;
6. Operational requirement to live in Government departmental quarters;
7. Departure from PRH due to admission into Drug Rehabilitation Centre/ Aged Home/ Care & Attention Home; imprisonment/ hospitalisation/ living in Sheltered Workshop Hostel; and
8. After the death of tenant, all remaining authorized occupants are minors under the age of 18, who are willing to surrender the PRH flat upon 'Grant of New Tenancy'.

Where the elderly persons who admit into RCHE, join PCSSA/ GD Scheme/ FJ Scheme or persons move to sheltered workshop hostel are tenants living with family members or only members of the PRH tenancies, they can apply for a Letter of Reinstatement (LR) upon deletion of their names from the tenancies. Upon their return to live in the PRH flats for good, holders of a LR can have their names reinstated without undergoing the Comprehensive Means Test or Domestic Property Test, provided the tenancies of the premises still exist.

Section B

Chapter 29: Letting of Office Accommodation for Legislative Councilors and District Councilors

In support of district administration and Hong Kong's constitutional development, the Hong Kong Housing Authority has been providing, as far as practicable, suitable non-domestic premises in public housing estates to Legislative Councilors (LC) and District Councilors (DC), so that they can use them as ward offices to serve and keep in touch with their constituents during their tenure.

Letting Arrangements:

1. Each DC may only lease ONE ward office in public housing estates with a maximum space of 35 m².
2. Each LC may lease any number of ward offices in public housing estates up to a cumulative total space of 140 m². The space ceiling of 140 m² also applies to councilors who are serving on both DC and the LC.
3. Joint tenants of ward offices are jointly and severally bound by the terms of the tenancy agreement without delineation of their respective office space, rights and responsibilities.
4. For calculations of space entitlement, the Internal Floor Area (IFA) of the ward offices under joint tenancies will be divided equally by the numbers of joint tenants.
5. Ward offices will be let in accordance with the following order of priority:

First priority : Elected DC of the constituency concerned

Second priority : Other DC of the district
(including elected and ex-officio Councilors)

Third priority : LC returned from the geographical constituency concerned

Fourth priority : LC returned from functional constituencies
(including DC (Second))

If more than one applications of the same priority category are received, the allocation will be determined by lot.

6. All applications received on or after 1 April 2019 are subject to the following arrangement for letting ward offices under joint-tenancies:

Tenant Status

- (a) Tenants will be classified into two categories, namely Primary Tenant (P) and Secondary Tenant(s) (S) as follows –
- (i) New joint applications
 - applicants may agree on the classification among themselves when making new application for ward office
 - the priority order for allocation of ward office will follow P's priority status
 - (ii) Existing joint-tenancies under arrangements without classification of tenant status
 - joint-tenants may agree on the classification among themselves upon tenancy renewal or signing of new tenancies due to addition or deletion of tenants or other changes
 - if mutual agreement cannot be reached, the tenant status will be determined by lot
 - (iii) Sole Tenant
 - the original sole tenant will become P when he/ she applies for addition of other Councilors, with all added Members to be S
- (b) Tenant status of P and S, once assigned, is not changeable under any circumstances. While each tenancy will have only one P, more than one S is permissible.
- (c) Only P has the right to apply for addition of other Councilors into the tenancy, and S has no such right for making addition request.

Term of Ward Office Tenancy

- (a) The end-date of joint-tenancy of ward office ties in with P's political office.
- (b) The tenancy will normally be renewed upon P's re-election unless he/ she decides otherwise.
- (c) When P is not re-elected, his/ her tenancy right to the ward office will be terminated automatically.
- (d) If P and S are both DCs or both LCs, S has to vacate the office upon tenancy expiry when P is not re-elected.

- (e) If P and S are neither both DCs nor both LCs and P is not re-elected, S is allowed to retain the ward office on fixed term licence until the expiry of his/ her political office (the later date of expiry will be adopted in case S is in dual capacity) provided that the space allocation standard is not exceeded. If the space allocation standard is exceeded, S has to vacate the ward office within three months upon expiry of the tenancy. S is not allowed to add other joint-tenants during the period when he/ she retains the ward office under such arrangement, and will be responsible for payment of licence fee and rates of the whole premises. Upon expiry of his/ her political office, he/ she must vacate the ward office even if he/ she is re-elected for the next term.
- (f) The vacated ward office will be put up for open application according to the established arrangements and S has to apply afresh for the ward office if he/ she wants to retain the ward office. If S is the elected DC of the constituency in which the concerned ward office is located, he/ she may take up a new tenancy for the ward office provided that the space allocation standard is not exceeded.

Early Termination of Tenancy by Joint Tenants

- (a) When P surrenders his/ her tenancy right of the ward office before tenancy expiry for whatever reasons, S is allowed to retain the ward office on fixed term licence until the expiry of his/ her political office (the later date of expiry will be adopted in case S is in dual capacity) provided that the space allocation standard is not exceeded. If the space allocation standard is exceeded, S has to vacate the ward office within three months upon termination of the tenancy. S is not allowed to add other joint-tenants during the period when he/ she retains the ward office under such arrangement, and will be responsible for payment of licence fee and rates of the whole premises. Upon expiry of his/ her political office, he/ she must vacate the ward office even if he/ she is re-elected for the next term.
- (b) When S surrenders his/ her tenancy right of the ward office before tenancy expiry for whatever reasons, P can take up the tenancy and is allowed to add other tenants into the tenancy.
- (c) The vacated ward office will be put up for open application according to the established arrangements and S has to apply afresh for the ward office if he/ she wants to retain the ward office. If S is the elected DC of the constituency in which the concerned ward office is located, he/ she may take up a new tenancy for the ward office provided that the space allocation standard is not exceeded.

7. Prior approval from the estate office must be obtained before signboard is installed for the ward office allocated:
- (a) While Councilors are allowed to display in the signboard the name or logo of the non-profit making organization (including political party) to which they belong, the office premises should **NOT** be used as an office (or local branch office, etc.) of the organization or political party, etc. to which they belong.

Examples of the Permitted and NOT Permitted Signboard

Permitted : XXX 黨 XXX 邨 XXX 議員辦事處

NOT Permitted :

1. XXX 議員辦事處及 XXX 黨支部
2. XXX 議員辦事處及 XXX 服務部／中心
3. XXX 議員辦事處及 YYY 議員聯絡處

- (b) Sharing of the premises with non-tenant or as liaison office of another DC or LC who is not one of the tenants should not be allowed. To avoid misunderstanding, non-tenant's name(s) should therefore not be included in the signboard of the ward office.
- (c) For the size and manner of display of signboards, applications should be vetted in accordance with the standard design applicable to a particular shopping centre. For ground floor premises of domestic blocks, the conditions applicable to other ordinary shops will apply.

Section C
General Issues

Section C

Chapter 1: Rights and Responsibilities of Hong Kong Housing Authority (HA)'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".

Public Rental Housing (PRH) 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 PRH in the district of their choice when their turn comes.

2. Applicants have the Responsibilities:

- to observe and comply with the PRH application/ allocation policies and arrangements set out by the HA;
- 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 detailed 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' organisations 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 not later than 15 days after the date on which the notice to quit has been given 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, subject to meeting other relevant criteria;
 - to apply for overcrowding relief through transfer subject to meeting relevant criteria;
 - to purchase a Home Ownership Scheme (HOS) flat or apply for the HOS Secondary Market Scheme, provided relevant criteria are met;
 - to purchase the flat where they are now living in if the estate is 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 break glass units or abusing fire hose reels etc. The HA has the right to take appropriate actions against the tenants responsible for any such damage, 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 damage to public facilities discovered as soon as possible;
- to make an application to the Estate Office before installing any building services such as air-conditioners or altering any fixtures such as electrical circuits, metal gatesets, windows, window grilles, pipes and w.c. pan. Upon approval, to employ qualified contractor or qualified worker to carry out the works according to the prescribed HA specifications and relevant Hong Kong Ordinance and Regulations with their completion duly certified 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 (if applicable);
- 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/ gas appliances 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 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;
- for HOS courts which were launched for sale from 1982 to 2006, since the five-year alienation restrictions period from the date of the first Deed of Assignment (the first assignment) has expired, an owner may sell, let or otherwise alienate the flat in the open market subject to payment of premium to the HA; or the owner may sell the flat in the HOS Secondary Market to eligible persons without payment of premium to the HA;
- for HOS courts which were launched for sale from 2007 to 2017, the 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 the flat in the open market. However, if the flat is within the five-year alienation restrictions period from the date of the first assignment, the owner may only enter into the agreement for sale and purchase (including provisional 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 sell the flat in the HOS Secondary Market from the third year onwards from the date of the first assignment to eligible persons without payment of premium to the HA;

- for HOS courts which were launched for sale in 2018, within the first two years from the date of the first assignment, the owner has to offer to sell the flat to the HA. Under existing policy, the HA will not buy back the flat but will nominate a buyer. The flat is to be assigned to a nominee of the HA at the original purchase price. Between the third to the fifth year from the date of the first assignment, the owner may either offer to sell the flat to the HA or sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium at his own negotiated price. If the owner offers to sell the flat to the HA, under existing policy, the HA will not buy back the flat but will nominate a buyer. The flat is to be assigned to a nominee of the HA at the price assessed by the Director of Housing. After five years from the date of the first assignment, the owner may sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium at his own negotiated price or he may sell, let or otherwise alienate the flat in the open market after payment of premium;
- for HOS courts which are launched for sale from 2019 onwards, the HA will not buy back or nominate a buyer to buy the flats (except HOS Secondary Market). Within the first two years from the date of the first assignment, the owner has to sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium at a price not more than the original purchase price. Between the third to the tenth year from the date of the first assignment, the owner has to sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium at his own negotiated price. After ten years from the date of the first assignment, the owner may sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium at his own negotiated price or sell, let or otherwise alienate the flat in the open market after payment of premium.

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 District Tenancy Management 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 any unauthorised structures, make any 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 Structural Safety Guarantee (SSG). The 7-year SSG provided for all TPS estates have already expired;
- 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 District Tenancy Management Office 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 any unauthorised structures, make any structural alterations or modifications or 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 the 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 Tenderers

1. The Tenderers have the Rights:

- to obtain information on the tendering procedures, eligibility criteria and details of the premises under offer;
- to know the terms and conditions of the tender;
- 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 Tenderers 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 on a specified date and complete the signing-up formalities.

3. Services provided by the Hong Kong Housing Authority:

- Tender Forms and documents can be obtained from:
 - HA/ HD Web Site at <http://www.housingauthority.gov.hk>
 - the designated Shopping Centre Management Offices/ Estate Offices;
 - the enquiry counters of the Commercial Properties Management Unit of the Estate Management Division located at: Wing A, Level 3, The Hong Kong Housing Authority Customer Service Centre, 3 Wang Tau Hom South Road Kowloon, Hong Kong
- The HA has set up enquiry counters at the Commercial Properties Management Unit to provide assistance to tenderers. A tender box is placed at the Commercial Properties Management Unit for collection of completed tender documents during the tender invitation period.
- Upon the close of tender invitation, the HA will check and sort out the tenders received. The HA will inform the tenderers in writing of the tender result. If the tenderers are successful, they will be invited to complete signing up formalities. If the tenderers are unsuccessful, they will be refunded the tender 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

Commercial Properties Management Unit

Telephone : 2711 5138

Tender Information Hotline : 2607 8866

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

Email : hkha@housingauthority.gov.hk

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.

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. Services provided by the Hong Kong Housing Authority:

- The HA monitors and administers all commercial lettings of the HA;
- 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

Commercial Properties Management Unit/ Non-domestic (HQ) Management Unit
Telephone : 2711 5138
HA Hotline : 2712 2712 for enquiries
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.

Public Rental Housing 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 public rental housing registration.
2. When an application reaches the detailed vetting stage, we will give the applicant 1 week's advance notice of the detailed vetting interview.
3. We will conduct the detailed 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 detailed vetting interview at detailed vetting 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 status of the relevant application progress data in the system as at the end 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.
 - (a) 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.
 - (b) We will notify tenants of the outcome within 2 weeks upon receipt of application for rent assistance if adequate information is provided.
10.
 - (a) We will provide interim replies for applications relating to change of head of household, special transfer, rent reversion and subsidy for the installation of an emergency alarm within 10 days if required documents are provided.
 - (b) 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 PRH tenants of the outcome within 2 weeks upon receipt of their applications for Certificate of Eligibility to Purchase of a Home Ownership Scheme (HOS), Tenants Purchase Scheme (TPS) or Green Form Subsidised Home Ownership Scheme (GSH) flat under the HOS Secondary Market Scheme, subject to the availability of required information.
13. We will notify PRH tenants of the outcome within 60 days upon receipt of their applications for purchase of their flats 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:
 - (a) Within 45 minutes where no trapping of passengers is involved;
 - (b) Within 25 minutes if trapping of passengers is involved;
 - (c) Have them rescued within 30 minutes of arrival.
15. For sudden interruption of electricity supply:
 - (a) 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;
 - (b) Maintenance personnel will arrive within 1 hour for maintenance during office hours;

- (c) Maintenance personnel will arrive within 2 hours for maintenance after office hours;
 - (d) 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:
- (a) 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;
 - (b) Maintenance personnel will arrive within 1 hour for maintenance;
 - (c) 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:
- (a) 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;
 - (b) Maintenance personnel will arrive within 2 hours for maintenance;
 - (c) 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 pledges no. 14 to 18)

Tree Management Matters

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

Home Ownership Scheme (HOS)/ Tenants Purchase Scheme (TPS)/ Green Form Subsidised Home Ownership Scheme (GSH) Flat Owners

21. We will notify HOS/ TPS/ GSH flat owners of the outcome within 2 weeks upon receipt of their applications for Certificate of Availability for Sale (CAS) of their flats under the HOS Secondary Market Scheme, subject to the availability of required information.

Green Form Subsidised Home Ownership Scheme (GSH) Flat Owners

22. We will notify GSH flat owners of King Tai Court and Lai Tsui Court of the outcome within 2 weeks upon receipt of their applications for Certificate of Eligibility to Sell (CES)/ Letter of Acceptance to Sell (LAS) respectively if they opt to sell their flats to HA's nominees within the 1st and 2nd year (at original price), subject to the availability of required information.
23. We will notify GSH flat owners of King Tai Court and Lai Tsui Court of the outcome within 5 weeks upon receipt of their applications for CES/ LAS respectively if they opt to sell their flats to HA's nominees from the 3rd to 5th year (at the price assessed by the Director of Housing), subject to the availability of required information.

Commercial Premises Applicants

24. We will notify tenderers of the validity of tender for leasing of commercial premises within 14 days of the closing date of tender invitation.
25. Subject to the availability of required information, 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.
26. 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

27. 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:

(a) Simple case:

No alteration of Building Services installations, structure, waterproofing, drainage, compartmentation, outlook of the building. To be completed within 10 days.

(b) Normal case:

Considerable amount of building works, relocation of internal partitions, forming of openings in floor or wall. To be completed within 20 days.

(c) 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 Independent Checking Unit under the Office of the Permanent Secretary for Transport and Housing (Housing) for fitting-out works which involve alteration and addition.)

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

Works and Services Contractors

29. 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

30. We will provide an interim reply within 10 days of receipt of complaint and enquiry cases.
31. 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 the complainant/ enquirer informed of the progress on or before the substantive reply due date and on a monthly basis.
32. 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 and the Hong Kong Housing Authority Customer Service Centre. Tenants or members of the public can also dial the following hotlines to enquire about our services:

24-Hour Service

Hong Kong Housing Authority Hotline 2712 2712

Hong Kong Housing Authority Sales & WSM Hotline 2712 8000

(The above hotlines handle enquiries on general housing policies, provide information on applications for public housing and subsidised home ownership scheme, and 24-hour agent answering services to receive comments and complaints.)

Faxline 2624 5685

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 5344

Letting of Commercial Premises 2711 5138