

Property owner fined over \$120,000 for not complying with removal order

A property owner was convicted and fined over \$120,000 at the Tuen Mun Magistrates' Courts last month for failing to comply with a removal order issued under the Buildings Ordinance (BO) (Cap. 123).

This case involved unauthorised building works (UBWs) with an area of about 60 square metres on the roof of a village house in D.D.109, Yuen Long. Since the Lands Department would not issue a certificate of exemption for the UBWs and the UBWs were carried out without prior approval and consent from the Buildings Department (BD), a removal order was served on the owner under section 24(1) of the BO.

Failing to comply with the removal order, the owner was prosecuted by the BD and was fined \$122,940 in total, of which \$102,940 was the fine for the number of days that the offence continued, upon conviction at the Tuen Mun Magistrates' Courts on April 25.

A spokesman for the BD said today (May 12), "UBWs may lead to serious consequences. Owners must comply with removal orders without delay. The BD will continue to take enforcement action against owners who have failed to comply with removal orders, including instigation of prosecution, so as to ensure building safety."

Failure to comply with a removal order without reasonable excuse is a serious offence under the BO. The maximum penalty upon conviction is a fine of \$200,000 and one year's imprisonment, and a further fine of \$20,000 for each day that the offence continues.