

## Property owner fined over \$50,000 for persistently not complying with removal order

A property owner was convicted and fined over \$50,000 at the Eastern Magistrates' Courts last month for persistently failing to comply with a removal order issued under the Buildings Ordinance (BO) (Cap. 123).

The order involved unauthorised building works (UBWs) carried out in a domestic premises at Kam Ping Street, North Point, including erection of an unauthorised flat roof structure of about 40 square metres and removal of a fire-resisting main entrance door.

As the above 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 twice and fined about \$36,000 in total upon conviction at the Eastern Magistrates' Courts. However, the owner persisted in not complying with the order and the BD instigated prosecution against the owner for a third time. The owner was convicted again and fined \$53,000 on April 29.

"UBWs may adversely affect the structural and fire safety of a building, leading to serious consequences. Owners must comply with the removal orders without further delay. The BD will continue to take enforcement action against owners who have failed to comply with the removal orders (including instigation of prosecution) so as to achieve a deterrent effect," a spokesman for the BD said today (May 9).

Pursuant to section 40(1BA) of the BO, any person who, without reasonable excuse, fails to comply with a removal order served on him or her under section 24(1) of the BO commits an offence and is liable on conviction to a fine of \$200,000 and to imprisonment for one year, as well as a further fine of \$20,000 for each day that the offence continues.