

Three property owners fined over \$210,000 in total for not complying with removal orders

Three property owners were convicted and fined over \$210,000 in total at the Tuen Mun Magistrates' Courts earlier this month for failing to comply with removal orders issued under the Buildings Ordinance (BO) (Cap. 123).

The first case involved an unauthorised structure with an area of about 28 square metres on the flat roof of a residential building at Yan Oi Tong Circuit, Tuen Mun. As the unauthorised building works (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 \$75,260, of which \$55,260 was the fine for the number of days that the offence continued, upon conviction at the Tuen Mun Magistrates' Courts on January 10.

The second and the third cases involved several unauthorised structures with a total area of about 60 sq m on the yards and one of the roofs of two houses at San Tam Road, Yuen Long. As the UBWs were carried out without prior approval and consent from the BD, removal orders were served on two owners concerned under section 24(1) of the BO.

Failing to comply with the removal orders, the two owners were prosecuted by the BD and were fined upon conviction at the Tuen Mun Magistrates' Courts on January 10. One owner was fined \$75,750, of which \$50,750 was the fine for the number of days that the offence continued, while the other owner was fined \$66,660, of which \$44,660 was the fine for the number of days that the offence continued.

A spokesman for the BD said today (January 27), "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, 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.