

Case 4

The following case has been convicted in the Kwun Tong Magistrates' Courts.

Date of Verdict	Contraventions under the Residential Properties (First-hand Sales) Ordinance	Offences	Punishment
4 July 2017	Sections 19(3), 19(6), 25(2), 25(3), 25(4)(a), 25(4)(b), 25(6), 25(7), 55(2) and 57(1)	<p>Total: 24 Counts of Offences</p> <p><u>3 Counts of Offences</u></p> <ul style="list-style-type: none">♦ Failing to set out in the sales brochure the information on the finishes of the ceiling for entrance lift lobby, the size of bath tub and the material of kitchen cabinet as required under items 2(a), 3(b)(iv) and 3(c)(iii) in the Table below section 22(2) of Part 2 of Schedule 1 of the Residential Properties (First-hand Sales) Ordinance (“the Ordinance”) <p><u>1 Count of Offence</u></p> <ul style="list-style-type: none">♦ Failing to set out in the sales brochure the information on the model number of window type air-conditioner for Unit D on 22/F of the development as required under item 6 in the Table below section 22(2) of Part 2 of Schedule 1 of the Ordinance <p><u>1 Count of Offence</u></p> <ul style="list-style-type: none">♦ Failing to set out in the sales brochure an undertaking that if lifts or appliances of the specified brand name or model number are not installed in the development, lifts or appliances of comparable quality will be installed, as required by section 22(2) of Part 2 of Schedule 1 of the Ordinance <p><u>11 Counts of Offences</u></p> <ul style="list-style-type: none">♦ Entering into eleven agreements for sale and purchase	Fine \$168,000

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		<p>without a mandatory provision on remedy of any defects to the residential property, or the fittings, finishes or appliances, namely clause 14, as set out in Schedule 7 of the Ordinance</p> <p><u>2 Counts of Offences</u></p> <ul style="list-style-type: none"> ◆ On two number of dates of sale, failing to make hard copies of the sales brochure printed or examined within the previous 3 months for the development available for collection by the general public free of charge at the place where the sale took place <p><u>2 Counts of Offences</u></p> <ul style="list-style-type: none"> ◆ On two number of dates of sale, failing to make a copy of the sales brochure printed or examined within the previous 3 months available for inspection on the website designated for the development <p><u>2 Counts of Offences</u></p> <ul style="list-style-type: none"> ◆ On two number of specified dates, failing to provide a hard copy of the sales brochure printed or examined within the previous 3 months to the Sales of First-hand Residential Properties Authority (SRPA) <p><u>2 Counts of Offences</u></p> <ul style="list-style-type: none"> ◆ On two number of specified dates, failing to provide an electronic copy of the sales brochure printed or examined within the previous 3 months to the SRPA for the purpose of the electronic database established under section 89(1) of the Ordinance 	