

CONTROLLING OFFICER'S REPLY

THB(H)027

(Question Serial No. 0658)

Head: (62) Housing Department
Subhead (No. & title): (-) Not Specified
Programme: (2) Private Housing
Controlling Officer: Permanent Secretary for Transport and Housing (Housing)
(Stanley YING)
Director of Bureau: Secretary for Transport and Housing

Question:

Regarding the work of “implementing the Residential Properties (First-hand Sales) Ordinance (Cap. 621) to regulate the sale of first-hand residential properties”, will the Government inform this Committee of:

- a. the staff establishment for and estimated expenditure to be involved in this area of work in 2018-19;
- b. the number of complaints received in 2017 with a breakdown by nature of the complaints, and the outcome of these complaints after investigation;
- c. the number of surprise inspections conducted by the Government since the implementation of the Residential Properties (First-hand Sales) Ordinance (the Ordinance); and among them, the number of suspected cases of non-compliance with the Ordinance detected; and
- d. the number of suspected cases of non-compliance or unlawful acts referred by the Government to the Estate Agents Authority, the Police and the Independent Commission Against Corruption since the implementation of the Ordinance?

Asked by: Hon OR Chong-shing, Wilson (Member Question No. 10)

Reply:

The Sales of First-hand Residential Properties Authority (SRPA) has an establishment of 42 staff members in 2018-19 and the estimated recurrent expenditure is \$54.90 million.

The SRPA received 31 complaints in 2017. A breakdown of the complaints by categories is as follows:

	Categories of complaints	2017
(a)	Sales brochure	6
(b)	Price list	1
(c)	Sales arrangements	5
(d)	Show flats	1
(e)	Viewing of completed residential properties	0
(f)	Preliminary agreement for sale and purchase and/or agreement for sale and purchase	0
(g)	Register of transactions	0
(h)	Advertisements	7
(i)	Websites	0
(j)	Misrepresentation and/or dissemination of false or misleading information	6
(k)	Others	5
	Total	31

Among the 31 complaints aforementioned, 26 are related to the Residential Properties (First-hand Sales) Ordinance (the Ordinance), while the remaining 5 are not. Amongst those 26 complaints relating to the Ordinance, 12 complaints are not substantiated. The SRPA is still following up the remaining 14 complaints.

The SRPA would, depending on the different situation of the case and sales, conduct site inspections, including surprise inspections, to sales offices and show flats. If there are any suspected contraventions of the Ordinance, the SRPA would carry out investigations. Since the implementation of the Ordinance and up to end 2017, the SRPA has conducted 2 883 site inspections.

As the enforcement authority of the Ordinance, the SRPA would carry out investigations if there are any suspected contraventions of the Ordinance. During investigations, if there are any suspected contraventions of other laws or regulations, the SRPA would refer the cases to relevant departments for action.

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