

CONTROLLING OFFICER'S REPLY

THB(H)029

(Question Serial No. 2529)

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 2017-18;
- b. the number of complaints received by the Sales of First-hand Residential Properties Authority (the SRPA) since the implementation of the Residential Properties (First-hand Sales) Ordinance (the Ordinance) with a breakdown by nature of the complaints, and the outcome of these complaints after investigation;
- c. the number of site inspections conducted by the SRPA since the implementation of the Ordinance; and among them, the number of suspected cases of non-compliance with the Ordinance detected and the number of surprise visits to the developers?

Asked by: Hon OR Chong-shing, Wilson (Member Question No. 9)

Reply:

The Sales of First-hand Residential Properties Authority (SRPA) has an establishment of 42 staff members in 2017-18 and the estimated recurrent expenditure is \$51.90 million.

Since the full implementation of the Residential Properties (First-hand Sales) Ordinance (the Ordinance) (Cap.621) from 29 April 2013 and up to the end of 2016, the SRPA received 229 complaints.

A breakdown of the complaints by year and categories is as follows:

	Categories of complaints	2013 (since 29 April 2013)	2014	2015	2016	Accumulative Total
(a)	Sales brochure	4	10	12	9	35
(b)	Price list	1	1	0	4	6
(c)	Sales arrangements	14	10	6	6	36
(d)	Show flats	0	0	0	2	2
(e)	Viewing of completed residential properties	0	5	1	0	6
(f)	Preliminary agreement for sale and purchase and/or agreement for sale and purchase	1	0	1	0	2
(g)	Register of transactions	1	1	0	1	3
(h)	Advertisements	2	6	15	27	50
(i)	Websites	1	0	0	0	1
(j)	Misrepresentation and/or dissemination of false or misleading information	6	15	9	10	40
(k)	Others	5	24	8	11	48
	Total	35	72	52	70	229

Among the 229 complaints aforementioned, 181 are related to the Ordinance, while the remaining 48 are not. Amongst those 181 complaints relating to the Ordinance, the offender of 1 case was prosecuted and convicted. 144 complaints are not substantiated. The SRPA is still following up the remaining 36 complaints. Apart from conducting investigation on complaints and media enquiries received, the SRPA would initiate compliance checks on related sales documents. If there are any suspected contraventions of the Ordinance, the SRPA would carry out investigations. Since the implementation of the Ordinance, 3 cases, including 1 complaint case mentioned above and 2 self-initiated investigation cases, have been prosecuted and convicted for contraventions of the Ordinance.

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 2016, the SRPA conducted 2 720 site inspections.

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