

**Replies to supplementary questions raised by Finance Committee Members
in examining the Estimates of Expenditure 2006-07**

**Director of Bureau : Secretary for Housing, Planning and Lands
Session No. : 12**

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
S-HPLB(H)01	SV32	Hon. CHOW LIANG Shuk-ye, Selina	62	(3) Appeal Panel (Housing)
S-HPLB(H)02	S56	Hon. WONG Kwok-hing	62	

Examination of Estimates of Expenditure 2006-07
**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-HPLB(H)01

Question Serial No.

SV32

Head : 62 Housing Department Subhead (No. & title) :

Programme : (3) Appeal Panel (Housing)

Controlling Officer : Permanent Secretary for Housing, Planning and Lands (Housing)

Director of Bureau : Secretary for Housing, Planning and Lands

Question :

In response to Hon Selina CHOW's concerns about the increase in waiting time for hearing appeal cases by the Appeal Panel (Housing) and possible abuse of the appeal mechanism by public housing tenants as a means to defer rent payments, the Administration is requested to provide information, as follows-

- (a) statistics on late payment of rents by tenants for the years 2004-05 and 2005-06;
- (b) the number of appeal cases involving late payment of rents in the years 2004-05 and 2005-06;
- (c) in connection with item (b) the results of the hearing on the appeal cases, including the number of allowed and disallowed cases; and
- (d) measures taken/to be taken to avoid possible abuse of the appeal mechanism by tenants as a means to defer rent payments.

Asked by : Hon. CHOW LIANG Shuk-yee, Selina

Reply :

- (a) The yearly average of domestic rent arrears in 2004-05 and 2005-06 (as at end of November) are 5.27% and 6.17% respectively.
- (b) The number of appeal cases received involving domestic rent arrears was 2 372 in 2004 and 2 845 in 2005.

- (c) After hearing an appeal, the Appeal Tribunal may confirm, amend or cancel the notice-to-quit (NTQ) issued by the Housing Authority. In cases where the NTQ is confirmed, usually the appellant has previous records of receiving NTQs due to default in rent payment, or cannot produce a reasonable plan to pay the rent arrears. In cases where the NTQ is amended, usually the appellant is required to pay the rent arrears within a period specified in the notice of decision before the appellant can regain his or her tenancy right. In cases where the NTQ is cancelled, usually the appellant has already paid up the rent arrears at the time of hearing and is not a repeated 'offender'.

In 2004, of the 873 rent arrear cases heard, the NTQ in 154 cases were confirmed, 644 were amended and 75 were cancelled. In 2005, of the 635 rent arrear cases heard, the NTQ in 168 cases were confirmed, 437 were amended and 30 were cancelled.

- (d) Allowing public housing tenants to appeal against the NTQ served on them is a statutory right provided under the Housing Ordinance (Cap. 283). To avoid possible abuse of the appeal mechanism by tenants as a means to defer rent payments, the Housing Department seeks to shorten the waiting time for hearing appeal cases by increasing the number of members for the Appeal Panel and provision of additional manpower for the Secretariat.

Signature _____

Name in block letters Thomas C Y CHAN

Post Title Permanent Secretary for Housing,
Planning and Lands (Housing)

Date 18 March 2006

Examination of Estimates of Expenditure 2006-07
**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-HPLB(H)02

Question Serial No.

S56

Head : 62 Housing Department Subhead (No. & title) :

Programme :

Controlling Officer : Permanent Secretary for Housing, Planning and Lands (Housing)

Director of Bureau : Secretary for Housing, Planning and Lands

Question :

Arising from reply no. HPLB (H)023, the estimated expenditure on construction, management and operation of the public housing programme and other activities under charge of the Housing Authority is not included in the Housing Department. In this respect, will the Government inform this Council of:

- (a) the roles and functions of Housing Department in the construction and operation of public housing programme;
- (b) whether the Housing Department has the responsibility to supervise and inspect Housing Authority's sites of public housing under construction;
- (c) the number of staff members currently deployed to inspect the work progress of public housing construction at sites; and
- (d) in monitoring public housing construction projects, whether there is proper monitoring mechanism, for example, monthly records on inspections carried out, the number of warning letters issued for slippage in work progress and the number of time where grace periods are granted to contractors.

Asked by : Hon. WONG Kwok-hing

Reply :

- (a) Head 62 covers four Government programmes underken by the Housing Department, namely, building control, private housing, Appeal Panel (Housing) and rehousing of occupants upon clearance.

The operation and management of the public housing programme is under charge of the Housing Authority and undertaken by the Housing Department as its executive arm. In this respect, the Housing Department's responsibilities range from preparation of housing layouts and detailed designs, construction procurement, contract management, site supervision and quality monitoring to tenancy and estate management after resident intake. These responsibilities are outside the ambit of Head 62.

- (b) The Housing Department is responsible for supervising and inspecting construction sites under charge of the Housing Authority. Public housing construction contracts are managed by project teams comprising professional and resident site staff. Regular site inspections and progress meetings are held between the contractors and the project teams. Regular inspections of foundation works, building works, engineering works and building services engineering works are also carried out to ensure delivery on schedule and to specifications.
- (c) About 350 professional and technical staff members are engaged on full-time inspection of works and works progress in the Housing Authority's public housing construction sites.
- (d) Progress of construction projects and contractors' performance are closely monitored and supervised. In case of poor performance or slow progress, warning letters would be issued to the contractors in question. Records of warning letters are kept on project and contractor basis. No consolidated record is readily available.

Signature _____

Name in block letters Thomas C Y CHAN

Post Title Permanent Secretary for Housing,
Planning and Lands (Housing)

Date 18 March 2006