

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)117

Question Serial No.

2785

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In each of the past three years, how many orders have been issued by the Buildings Department to building owners requiring them to reinstate their flats when the flat layouts were found to deviate from the original plans of the buildings? For those cases in which the owners have complied with the orders and completed the works, what was the average time taken from the service of the orders to the completion of works; and what was the time taken by the longest case? For those cases in which the owners could not be found or failed to comply with the orders and ultimately the Building Authority had to carry out the works, what was the number of such cases, the costs of such works involved, the number of cases still pending recovery of costs and the expenditure involved?

Asked by: Hon. LEE Wai-king, Starry

Reply:

In 2009, 2010 and 2011, the Buildings Department (BD) issued 12, 20 and 117 removal orders respectively to owners requiring them to remove the unauthorised building works associated with the sub-division of their flats and to reinstate their flats to accord with the original approved plans of the buildings. For the removal orders issued in the aforementioned period, 34 had already been complied with by the owners with the average duration between the issuance of orders and completion of rectification works of about eight months. Amongst these cases, the longest duration for compliance was about 31 months. For the completed cases, all owners had complied with the orders themselves, either upon receipt of the orders or upon initiation of prosecution action by the BD, without the need for the BD to carry out the works in default on behalf of the owners and recover the costs from them afterwards. For the removal orders issued in the past three years but not yet complied with by the owners, the BD has been monitoring the cases and they are at different stages of follow-up action. For instance, some owners are arranging for rectification works while some have lodged appeals which are being processed. So far, there has been no case requiring the BD to carry out default works.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012