

**CONTROLLING OFFICER'S REPLY**

**DEVB(PL)065**

**(Question Serial No. 1415)**

Head: (82) Buildings Department  
Subhead (No. & title): (-) Not Specified  
Programme: (1) Buildings and Building Works  
Controlling Officer: Director of Buildings (Ms Clarice YU)  
Director of Bureau: Secretary for Development

Question:

It is mentioned by the Government under this programme that it will continue the large scale operation on inspection of sub-divided flats (SDFs) in target buildings and rectification of irregularities of building works associated with SDFs. In this connection, please inform this Committee of the following:

1. When the officers were inspecting the target buildings from 2020 to 2022, what were the respective success rates of entry into the units during the first, the second, the third, the fourth and the fifth or more visits?
2. If the entry into individual suspected SDFs in target buildings is denied for inspection for any reason, will the Government deem it as having completed the inspection and rectification? If not, what are the criteria for the completion of inspection and rectification?
3. What were the respective expenditures involved in the above inspection and rectification work and the reasons for the Government to have set the numbers of target buildings at 100 in each of the years from 2020 to 2022?

Asked by: Hon CHAN Hok-fung (LegCo internal reference no.: 30)

Reply:

1. & 2. Apart from responding to public reports, the Buildings Department (BD) has been taking enforcement actions against building irregularities associated with sub-divided flats (SDF) through large scale operations (LSO). All the premises within the target buildings will be inspected whenever possible if subdivision is identified. If access into individual suspected SDF is denied, inspection will be conducted in the surrounds of the suspected SDF, such as adjoining common areas and nearby premises, to collect circumstantial evidence to identify actionable building irregularities associated with the suspected SDF. After two unsuccessful attempts

to gain access for inspection (one of which is outside office hours), a letter will be issued to the owners/occupants of the suspected SDF requesting an inspection. Also, in case of any signs of obvious danger, BD will make an application to the court for a warrant to enter the suspected SDF for an inspection. Where actionable building irregularities associated with SDF are identified, BD will issue removal orders to the owners concerned. The removal order is considered complied with when the building irregularities are rectified. Nevertheless, if there is no response to BD's request for inspection and the evidence collected is insufficient to identify any actionable building irregularities, inspection of the remaining part of the SDF may not be required.

BD does not compile statistics on the success rate of entry into suspected SDF for inspection.

3. Enforcement action against building irregularities associated with SDF is carried out by the professional and technical staff of the two Existing Buildings Divisions of BD as part of their overall duties to implement BD's building safety and maintenance enforcement programmes. BD does not compile a breakdown of the expenditure involved solely for inspection and rectification of building irregularities associated with SDF.

To conduct LSO against target buildings for rectifying building irregularities associated with SDF, BD adopts a risk-based approach in selecting target buildings, taking into account a number of factors including public reports received. As the workload associated with the identification of and the follow-up enforcement action against actionable building irregularities associated with SDF in the target buildings selected is substantial, the numbers of target buildings in 2020 to 2022 were kept at 100 each year to ensure that the LSO and enforcement action can be undertaken in a timely manner.

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