

**Memorandum for the Subsidised Housing Committee of
the Hong Kong Housing Authority**

**Review of the Marking Scheme for Estate Management Enforcement
in Public Housing Estates**

PURPOSE

This paper informs Members of the latest progress and effectiveness in implementing the Marking Scheme for Estate Management Enforcement in Public Housing Estates (MS).

BACKGROUND

2. In May 2003, the Team Clean announced a series of measures to enhance the hygiene and cleanliness in Hong Kong. To strengthen enforcement measures against hygiene-related offences in public rental housing (PRH) estates and to promote civic responsibility among tenants, the Subsidised Housing Committee (SHC) endorsed in August 2003 vide Paper No. SHC 17/2003 the implementation of the MS.

3. Subsequent policy revisions and reviews were endorsed vide Paper Nos. SHC 35/2003, SHC 68/2004, SHC 62/2005, SHC 55/2006, SHC 6/2007, SHC 47/2007, SHC 45/2008, SHC 70/2009, SHC 12/2011 and SHC 7/2012. The scope of the MS has been extended to cover reckless conducts and breaches of the tenancy agreement (TA) over the years. At present, the MS covers 28 misdeeds, categorised by their degrees of adversity on environmental hygiene or estate management. Misdeeds of categories A, B, C and D carry three, five, seven and 15 points respectively. A list of the 28 misdeeds under the MS is at

----- **Annex I.**

4. Tenants and authorised persons committing the misdeeds in their residing estates will be subject to allotment of points under the MS. Any points allotted will be valid for two years. Households carrying valid points will be barred from applying for all types of voluntary transfers. Upon accumulation of 16 points within two years, the tenancy of the subject household will be terminated.

5. The Housing Department (HD) has just completed a review of the MS with findings summarised in the following paragraphs.

REVIEW

Survey on the MS

6. The MS has been well received and supported by PRH tenants since its implementation in 2003. As indicated in the 2012 Public Housing Recurrent Survey vide Paper No. SHC 60/2012, about 96% of the respondents were aware of the MS whilst 64% expressed that the penalty was reasonable. The percentage of satisfaction level towards the overall cleanliness and hygiene condition of estate common areas increased to 73%, compared with 46% and 52% in 2002 and 2003 respectively.

Overall Enforcement Results

7. In 2012, about 2 100 households were allotted penalty points of various misdeeds, of which 960 were smoking offenders. Other major items with penalty points allotted include unauthorised dog keeping, throwing objects from height and littering.

8. From August 2003 to end 2012, there were some 20 100 allotments of penalty points involving about 18 200 households (**Annex II**). Among them, 1 170 (6%) have accrued ten points or more due to commitment of two or more misdeeds. The misdeeds of 'Smoking in estate common area' and 'Littering' continued to be the most frequently committed offences involving some 7 120 and 5 880 cases respectively. Notwithstanding this, the point allotment cases for these two misdeeds have significantly dropped from some 1 300 and 400 in 2009 to 960 and 160 in 2012 respectively as a result of the deterrent effect achieved through on-going enforcement actions as well as intensified publicity. In a similar vein, the number of 'Spitting' cases has also dropped from some 90 in 2009 to 14 in 2012.

9. Out of the 20 100 point-allotment cases, 15 620 (78%) have expired, with 4 480 cases (22%) remaining valid. Among the 57 households with 16 or more points, three have surrendered their PRH flats voluntarily. The Housing Authority (HA) has issued 42 Notice-to-quits (NTQs) and 12 cases were withheld from issuing of NTQ on special grounds.

Areas of Concern

Throwing Objects from Height

10. As the unscrupulous act of throwing objects from height poses potential danger to the passers-by, we have included the misdeed of 'Throwing objects from height' carrying seven penalty points in the MS since 2003. Having regard to the different levels of seriousness of the offences, starting from 2006, seven points would be allotted to cases with throwing objects jeopardising environmental hygiene only and 15 points to throwing objects that may cause minor danger or personal injury. For offences that may cause serious danger or personal injury, the HA will terminate the tenancy of the subject household.

11. To effectively tackle this misdeed, we have adopted proactive measures ^{Note 1} since 2009. We allotted seven and 15 points to some 200 and ten households respectively in 2012 for committing the misdeed, compared with some 80 and ten households with allotment of points correspondingly in 2009. The significant increase in point-allotment cases on this misdeed demonstrated HA's determination to tackle the misdeed and the effectiveness of the proactive measures. We would continue to carry out intensified enforcement actions in this aspect.

Control of Dog-keeping

12. Given PRH estates are densely populated, keeping of dogs would cause adverse effect to environmental hygiene. It has been stipulated in the TA that keeping of dogs and livestock, without prior written consent from the HA, is not allowed. We prohibit dog keeping therein except (i) permitted dogs under the 'Temporary Permission Rule' (TPR) ^{Note 2}; (ii) service dogs for the visually impaired tenants; and (iii) tenants with strong special needs for the companion of a dog for mental support. Those tenants found keeping dogs without permission will be allotted five penalty points without warning.

Note 1 The measures include (i) publicity through Housing Channel, posters, partnering functions by Estate Management Advisory Committees and Non-Governmental Organisations to promote the message of anti-throwing objects from height; (ii) deployment of Mobile Digital Closed Circuit Television sets, Mobile Surveillance System sets and Special Operation Teams (SOTs) to detect suspected offenders; and (iii) intensified patrols and inspections by estate staff under the monitoring of a Task Force set up at Headquarters level.

Note 2 The SHC endorsed the implementation of a one-off TPR in 2003 allowing tenants to continue keeping their small dogs already existed in PRH flats before 1 August 2003 until the dogs' natural death.

13. To maintain a decent and quiet living environment in PRH estates, we have implemented a series of enhanced measures^{Note 3} to tackle unauthorised dog keeping since end 2009. Pursuant to the Report on "Control of Pet Animals" issued by the Audit Commission in March 2010, the Agriculture, Fisheries and Conservation Department has agreed to transfer the licensing information of the dog owners living in PRH estates to the HD for data matching. Given the enhanced measures, we managed to allot penalty points to some 470 tenants for unauthorised dog keeping in 2012 and further reduced the number of TPR dogs from 13 300 in 2003 to 5 500 by now.

STAFFING IMPLICATION

14. The workload arising from the enforcement of the MS will continue to be absorbed by the estate staff with the reinforcement of the Special Operation Teams.

FINANCIAL AND INFORMATION TECHNOLOGY (IT) IMPLICATIONS

15. It is estimated that a total expenditure of around \$0.87M would be incurred, including a one-off cost of 0.37M for minor IT system enhancement to improve the control mechanism of the MS and \$0.5M for intensified publicity and educational programmes. The requisite funding will be sought in coming budget exercise.

PUBLIC REACTION / PUBLICITY

16. The efforts in tackling throwing objects from height and unauthorised dog keeping are well received by PRH tenants and the community at large. We will continue to implement the proactive measures in these two areas. Publicity measures to strengthen tenants' awareness of the MS through Housing Channel, estate newsletters, posters and leaflets will be continued for educational purpose.

Note 3 The enhanced measures include more stringent control on dog licence renewal required under the TPR, intensified patrol and enforcement actions by staff at estate level, deployment of the SOTs to detect unauthorised dog keeping at Regional level and enhanced publicity.

INFORMATION

17. This paper is issued for Members' information.

Ms Cindy CHAN
Secretary, Subsidised Housing Committee
Tel. No.: 2761 5033
Fax No.: 2761 0019

File Ref. : HD 3-8/TMP/7-5/13
(Estate Management Division)
Date of Issue : 25 February 2013

List of Misdeeds under the Marking Scheme (since 1.1.2009)

Category A (3 penalty points)

A1*	Drying clothes in public areas (except in areas designated by HD)
A2*	Hanging floor mop outside the window or balcony
A3*	Putting dripping flower pots or dripping laundry at balconies
A4*	Dripping oil from exhaust fan

Category B (5 penalty points)

B1	Littering
B2	Disposing of domestic refuse indiscriminately, such as improper disposal in lift lobbies or inside bins without cover
B3	Keeping animal, bird or livestock inside leased premises without prior written consent of the Landlord
B4	Allowing animal and livestock under charge to foul public places with faeces
B7*	Obstructing corridors or stairs with sundry items rendering cleansing difficult
B8	Boiling wax in public areas
B9*	Causing mosquito breeding by accumulating stagnant water
B10	Smoking or carrying a lighted cigarette in estate common area
B11*	Causing noise nuisance
B12	Illegal gambling in public places
B13*	Water dripping from air-conditioner

Category C (7 penalty points)

C1	Throwing objects from height that jeopardize environmental hygiene
C2	Spitting in public areas
C3	Urinating and defecating in public places
C4	Dumping or disposing of decoration debris indiscriminately at refuse collection point, within building or in other public areas
C5*	Denying HD staff or staff representing HD entry for repairs responsible by HD
C6*	Refusing repair of leaking pipes or sanitary fittings responsible by the tenant
C7*	Damaging down/sewage pipes causing leakage to the flat below
C8	Using leased premises as food factory or storage
C9	Illegal hawking of cooked food
C10	Damaging or stealing Housing Authority's property
C11*	Accumulating a large quantity of refuse or waste inside leased premises, creating offensive smell and hygienic nuisance
C12	Using leased premises for illegal purpose

Category D (15 penalty points)

D1	Throwing objects from height that may cause danger or personal injury
----	---

* Warning System is in place for these misdeeds. Penalty points will only be allotted if the offender ignores one written warning and repeats the same misdeed for the second time and onwards.

Number of Households with Points Allotted (as at 31.12.2012)

3-9 Points		10-15 Points		≥ 16 Points		Total	
Cumulative	Active	Cumulative	Active	Cumulative	Active	Cumulative	Active
17 050	4 080	1 115	194	57	8	18 222 (Say 18 200)	4 282

Marking Scheme Summary (1.8.2003 – 31.12.2012)

Misdeeds Category		Warning ^{Note 1}	Points-Allotted Cases ^{Note 2}
A1	Drying clothes in public areas (except in areas designated by HD)	623	5
A2	Hanging floor mop outside the window or balcony	1 764	1
A3	Putting dripping flower pots or dripping laundry at balconies	544	21
A4	Dripping oil from exhaust fan	23	0
B1	Littering	-	5 884
B2	Disposing of domestic refuse indiscriminately, such as improper disposal in lift lobbies or inside bins without cover	-	22
B3	Keeping animal, bird or livestock inside leased premises without prior written consent of the Landlord	-	2 733
B4	Allowing animal and livestock under charge to foul public places with faeces	-	2
B7	Obstructing corridors or stairs with sundry items rendering cleansing difficult	1 838	18
B8	Boiling wax in public areas	-	0
B9	Causing mosquito breeding by accumulating stagnant water	1	1
B10	Smoking or carrying a lighted cigarette in estate common area	-	7 123
B11	Causing noise nuisance	131	78
B12	Illegal gambling in public places	-	1 399
B13	Water Dripping from Air-conditioner	327	31

(to be continued)

Misdeeds Category		Warning ^{Note 1}	Points-Allotted Cases ^{Note 2}
C1	Throwing objects from height that jeopardize environmental hygiene	-	879
C2	Spitting in public areas	-	1 425
C3	Urinating and defecating in public places	-	11
C4	Dumping or disposing of decoration debris indiscriminately at refuse collection point, within building or in other public areas	-	2
C5	Denying HD staff or staff representing HD entry for repairs responsible by HD	82	40
C6	Refusing repair of leaking pipes or sanitary fittings responsible by the tenant	25	3
C7	Damaging down/sewage pipes causing leakage to the flat below	15	1
C8	Using leased premises as food factory or storage	-	5
C9	Illegal hawking of cooked food	-	44
C10	Damaging or stealing Housing Authority's property	-	25
C11	Accumulating a large quantity of refuse or waste inside leased premises, creating offensive smell and hygienic nuisance	215	159
C12	Using leased premises for illegal purpose	-	127
D1	Throwing objects from height that may cause danger or personal injury	-	74
Total		5 588	20 113 (Say 20 100)

Note 1: For 12 less serious misdeeds, the Warning System is applicable. Meanwhile, the system has been twice simplified in the past. Details are as follows –

Period	Warning System
1.8.2003 – 31.12.2004	Comprising three warnings (one verbal and two written)
1.1.2005 – 31.12.2006	Comprising two warnings (one verbal and one written)
1.1.2007 till now	Comprising one written warning only

Note 2: Penalty points will be purged upon expiry of a two-year validity period.