

## **Section B**

### **Chapter 9: Policy on Household Splitting**

Any public rental housing (PRH) tenants having serious and deep-rooted disharmony among family members or other reasons deserving sympathetic consideration, the Hong Kong Housing Authority (HA) will consider their requests for household splitting on individual merits and make referral to the relevant government departments/organisations for assessment and recommendation, if required.

#### **Splitting Requests from Sharing Households Originated from the Compulsory Categories**

Splitting requests raised by sharing households originated from the compulsory categories (single persons affected by clearance or redevelopment, who were arranged by HA or had chosen to share accommodation with unrelated or distantly related members) on grounds of need (e.g. overcrowding or inconvenience to flats sharer(s) brought by addition of family members, disputes, etc.) will be considered and treated with priority. The arrangements are as follows:

1. The applicants will not be required to undergo the comprehensive means test (CMT) but the party applying for splitting and wishing to move to another PRH flat will have to pass the domestic property test (DPT) (Note 1).
2. Upon approval of splitting, the splinter household may be allocated another PRH flat, or he/ she may choose to purchase a flat under the subsidised home ownership schemes by using Green Form status (valid for one year) in lieu of the offer of a PRH flat.
3. Both the main and the splinter households will have to declare their household income and assets including whether they own any domestic property in Hong Kong under the “Well-off Tenants Policies” (WTP) in normal turn.

#### **Splitting Requests from Sharing Households on a Voluntary Basis and Family Households**

Splitting applications under this category are voluntary. If any family member has no intention to request for household splitting, the splitting application by other family members will not be accepted. However, the latter may authorise HA to refer their case to Social Welfare Department for appropriate assistance.

Splitting requests raised by sharing households on a voluntary basis and family households will be subject to the following arrangements:

1. If justified on compassionate grounds, applying households should satisfy the following criteria:
  - (a) the main and splinter households should be separately subject to the CMT with income and asset limits pitched at PRH application levels; and
  - (b) both the main and splinter households should pass the DPT.
2. If both the main and splinter households pass the above tests (CMT & DPT), HA will refer the splitting request to the relevant government departments/ organisations for assessment. For recommended case, the splinter household will be offered a refurbished flat in the New Territories (NT). They may choose to purchase a flat under the subsidised home ownership schemes by using Green Form status (valid for one year) in lieu of the offer of a PRH flat.
3. Upon allocation of another PRH flat, both the main and splinter households are required to declare biennially (Note 2) the occupancy status; and the household income and assets pursuant to the WTP, including whether they own any domestic property in Hong Kong, so as to determine the eligibility for continuous renting the PRH and the level of rent payable. Starting from October 2023, PRH tenants are required to declare to HA every two years (Note 2) whether the principal tenants and all members of the household own any domestic property in Hong Kong since admission to PRH and to undertake to declare to HA within one month after having acquired a domestic property in Hong Kong (within one month of entering into any agreement, including provisional agreements). Besides, they are also required to declare whether they have retained regular and continuous residence in PRH units and complied with the terms in the tenancy agreement regarding occupancy status.
4. If either the main household or the splinter family fails the CMT and/ or cannot pass the DPT, the splitting application will not be considered. If the party passes the DPT but fails only the CMT, the party may apply for temporary stay in Po Tin Interim Housing in the New Territories. If approved, the period of temporary stay shall not exceed one year. During the period, market licence fees will be paid.
5. If application for splitting is rejected for failing the stipulated eligibility criteria, but deserves sympathetic consideration, HA shall refer the case to the relevant government departments/ organisations for assistance, as appropriate.
6. If either or both parties fail the CMT and/ or cannot pass the DPT, the household may withdraw the splitting application and make its own accommodation arrangement.

7. HA will allocate to the splinter household a PRH flat of a size commensurate with the number of household members subject to availability of housing resources and in accordance with the allocation policy. If under-occupation arises in the main household, the household is required to move to a PRH flat of a suitable size.
8. If the household has been allotted points under the Marking Scheme for Estate Management Enforcement in Public Housing Estates before additional PRH is allocated, the valid points will be allotted to the household which comprises the existing tenant, whereas the other household will not carry any points.

- Note 1: Domestic property test (DPT) means all the household members must not:
- (i) own or co-own any domestic property in Hong Kong or any interest in such kind of property; or
  - (ii) enter into any agreement which is still valid and subsisting (including preliminary agreement) to purchase any domestic property in Hong Kong; or
  - (iii) own more than 50% of the shares in a company which directly or through a subsidiary company own any domestic property in Hong Kong; or
  - (iv) be a beneficiary of the estate of any deceased person which includes any domestic property or land in Hong Kong.

“Domestic properties” include any domestic property, uncompleted private domestic property, rooftop structures approved by the Buildings Department, domestic building lots and small house grants approved by the Lands Department in Hong Kong

- Note 2: First review may be less than 2 years.