

## Section B

### **Chapter 11: Appeal Procedures against Notice-to-quit Issued and Restrictions on Households in Tenancy Breach, Violating Marking Scheme and Making False Declarations**

For any cases with substantiated serious breach of leasing condition or management policies of the Hong Kong Housing Authority (HA), the HA will issue a Notice-to-quit (NTQ) to the concerned tenant to terminate tenancy and require him/ her to vacate the flat. With a view to safeguarding the rational use of PRH resources, the HA endorsed on 24 May 2023 a series of new measures to enhance efforts to combat tenancy abuse which include tightening the restrictions for former PRH tenants whose tenancies were terminated due to PRH abuse. Starting from 1 October 2023, for NTQ issued due to making false declarations <sup>Note 1</sup>, breaching any terms of the tenancy agreement, violating Marking Scheme etc., the ex-tenant and all family members aged 18 or above at the time of tenancy terminated will be subject to the following restrictions starting from the following day upon the expiry of the NTQ:

- (a) their live Public Rental Housing (PRH) applications will be frozen during a 5- year's Time Bar Period (counting from the following day upon the expiry of the NTQ). Waiting time during the frozen period will not be counted;
- (b) their fresh PRH applications will be rejected during the 5-year's Time Bar Period; and
- (c) they will not be offered a flat of better quality than the original PRH flat upon flat allocation. Starting from 31 March 2025, geographical locality is a mandatory restriction, and age and floor level of the PRH flat must be included in one of the two criteria.

The NTQ will be attached to a covering letter stating the reasons for terminating the tenancy and the tenant's right of appeal within the period specified. By virtue of Section 20(1) of the Housing Ordinance, a tenant has a right of appeal against termination of his/ her tenancy but he/ she must lodge the appeal in writing to the Appeal Panel (Housing), not later than 15 days after the date on which the NTQ has been issued. If the tenant is unable to lodge the appeal personally because of ill-health, absence from Hong Kong, etc., the Chairman of Appeal Panel (Housing) may consider permitting a family member in the tenancy agreement to lodge appeal on behalf of the tenant. The Appeal Panel (Housing) will arrange an appeal hearing and make a decision on tenant's appeal against termination of tenancy.

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Note 1 See also rationalised implementation details of the Well-off Tenants Policies in Chapter 4 under Section B.