

Section C

Chapter 1: Rights and Responsibilities of Hong Kong Housing Authority (HA)'s Client Groups

To increase efficiency, the Hong Kong Housing Authority (HA) has not only laid down service standards, but also spelt out the rights and responsibilities of our client groups to achieve the goal of "Clear Rights and Obligations for Mutual Benefits".

Public Rental Housing (PRH) Applicants

1. Applicants have the Rights:

- to obtain full information on the application procedures, eligibility criteria, prevailing allocation standards and rental levels;
- to know the progress of their application and the average waiting time of those recently rehoused;
- to be given a maximum of three offers (one option in each offer) of PRH in their choice of district when their turn comes.

2. Applicants have the Responsibilities:

- to observe and comply with the PRH application/ allocation policies and arrangements set out by the HA;
- to provide full and accurate information about themselves and their family members, substantiated by documentary proofs and inform the HA of any subsequent changes as soon as they arise;
- to provide timely replies to the HA's letters;
- to ensure that the statements made upon application are true and correct;
- to attend detailed vetting interviews and appointments for other formalities as required punctually;
- to complete intake formalities at the estate office according to the appointed time;
- to provide acceptable reason for refusing all the three housing offers, otherwise the application will be cancelled.

Public Rental Housing Tenants (Tenancy Matters)

1. In addition to those contained in the Tenancy Agreement, Public Rental Housing Tenants have the rights:
 - to give their views directly to the HA to help improve the management of their estate;
 - to appeal to the independent Appeal Panel not later than 15 days after the date on which the notice to quit has been given if their tenancy is terminated by the HA;
 - to apply for HA's Rent Assistance Scheme, provided the household meets the eligibility criteria and is not a recipient of the Social Welfare Department's Comprehensive Social Security Assistance with rent allowance;
 - to apply for the Emergency Alarm System (commonly known as "pendant alarm") Grant if all members in their household are aged 60 or above and are not recipients of the Social Welfare Department's Comprehensive Social Security Assistance, subject to meeting other relevant criteria;
 - to apply for overcrowding relief through transfer subject to meeting relevant criteria;
 - to purchase a Home Ownership Scheme (HOS) flat or apply for the HOS Secondary Market Scheme, provided relevant criteria are met;
 - to purchase the flat where they are now living in if the estate is under the Tenants Purchase Scheme.

2. Apart from observing the obligations in the Tenancy Agreement, Public Rental Housing Tenants have the responsibilities:
 - to abide by the Tenancy Agreement and observe the policies adopted by the HA, failing which they may be liable to termination of tenancy;
 - to surrender the flat to the HA immediately if they no longer live in it, and if the number of members in their household has fallen below the minimum number set for their existing flat, to move to another suitable flat;
 - to keep the environment clean, take good care of the public facilities, avoid causing nuisances or noise, ensure the proper disposal of rubbish and not to cause obstruction to the fire escapes;
 - to inform the authorities concerned and the Estate Office immediately in case of emergency;

- to provide accurate information concerning income, assets, and details about household members as required by the HA;
- to tender notice to quit to the HA upon acquisition of another form of subsidised housing administered by the HA or the Housing Society (including purchase of a flat under any subsidised home ownership schemes or transfer to another public housing flat), and to surrender their rental flat to the HA within a specified time.

Public Rental Housing Tenants (Maintenance Matters)

1. Public Rental Housing Tenants have the Rights:

- to require the HA or the relevant management agency to carry out repairs to the building structure, building services installations, fixtures and common areas for which the HA is responsible;
- to be informed in advance of the HA's planned maintenance and enhancement works and their schedule of implementation;
- to be informed of the progress of the relevant works and be given an explanation for any delay.

2. Public Rental Housing Tenants have the Responsibilities:

- to avoid causing damage to any public facilities, such as refuse storage and material recovery rooms, fire rated doors and fire break glass units (The HA has the right to take appropriate actions against the tenants responsible for any such damage, including but not limited to taking enforcement action under the prevailing Marking Scheme having them pay for the repairs and/ or instituting prosecutions);
- to properly use the Landlord's fixtures and fittings in their flats, use the building services installations and other facilities in the estate correctly, and not to abuse public facilities like fire hose reels etc.;
- to make an application to the Estate Office before installing any building services such as air-conditioners or altering or adding any fixtures such as electrical circuits, metal gatesets, non-structural internal walls, windows, window grilles, pipes and w.c. pan. Upon approval, to employ qualified contractor or qualified worker to carry out the works according to the prescribed HA specifications and relevant Hong Kong Ordinance and Regulations with their completion duly certified. Tenants shall keep the installations in good repair afterwards;

- to reinstate unauthorised alterations at their own cost, and to pay for the remedy of any damage or loss arising from any such unauthorised alteration works (if applicable);
- to allow the HA's staff or agents to enter the flat to inspect and carry out repair, maintenance or enhancement works when necessary;
- to be mindful of the safe use and day-to-day maintenance of the household electrical/ gas appliances and to employ qualified personnel for their regular inspection.

Home Ownership Scheme (HOS) Flat Owners

1. The Owners have the Rights:

- to exercise the rights conferred on the owners by the Deed of Mutual Covenant;
- to use the communal facilities in their Home Ownership Scheme (HOS) estate;
- to monitor the performance of the management agent and the service contractors in their respective areas of responsibility;
- to request the HA to make good construction defects found within the Defects Liability Period as stipulated in the sales brochure;
- for HOS courts which were launched for sale from 1982 to 2006, since the five-year alienation restrictions period from the date of the first Deed of Assignment (the first assignment) has expired, an owner may sell, let or otherwise alienate the flat in the open market subject to payment of premium to the HA; or the owner may sell the flat in the HOS Secondary Market to eligible persons without payment of premium to the HA;
- for HOS courts which were launched for sale from 2007, the HA will not accept any buyback offers. An owner may at any time choose to pay premium to the HA so that he can sell, let or otherwise alienate the flat in the open market. However, if the flat is within the five-year alienation restrictions period from the date of the first assignment, the owner may only enter into the agreement for sale and purchase (including provisional agreement) after the premium application is accepted by the HA (i.e. the offer to assign the flat to the HA is declined by the HA); or he may sell the flat in the HOS Secondary Market from the third year onwards from the date of the first assignment to eligible persons without payment of premium to the HA;

- for HOS courts which were launched for sale in 2018, within the first two years from the date of the first assignment, the owner has to offer to sell the flat to the HA. Under existing policy, the HA will not buy back the flat but will nominate a buyer. The flat is to be assigned to a nominee of the HA at the original purchase price. Between the third to the fifth year from the date of the first assignment, the owner may either offer to sell the flat to the HA or sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium at his own negotiated price. If the owner offers to sell the flat to the HA, under existing policy, the HA will not buy back the flat but will nominate a buyer. The flat is to be assigned to a nominee of the HA at the price assessed by the Director of Housing. After five years from the date of the first assignment, the owner may sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium at his own negotiated price or he may sell, let or otherwise alienate the flat in the open market after payment of premium;
- for HOS courts which are launched for sale from 2019 and 2020, within the first two years from the date of the first assignment, the owner has to sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium at a price not more than the original purchase price. Between the third to the tenth year from the date of the first assignment, the owner has to sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium at his own negotiated price. After ten years from the date of the first assignment, the owner may sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium at his own negotiated price or sell, let or otherwise alienate the flat in the open market after payment of premium;
- for HOS courts which are launched for sale in 2022, within the first five years from the date of the first assignment, the owner has to sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium at a price not more than the original purchase price. Between the sixth to the fifteenth year from the date of the first assignment, the owner has to sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium at his own negotiated price. After fifteen years from the date of the assignment, the owner may sell the flat in the HOS Secondary Market to a person nominated by the HA without payment of premium at his own negotiated price or sell, let or otherwise alienate the flat in the open market after payment of premium.

2. The Owners have the Responsibilities:

- to observe the terms and conditions of the Sale and Purchase Agreement, use the flat solely for residential purposes bearing in mind that letting or using the flat for commercial purposes is prohibited, live in the flat with family members included in the application, and immediately inform the District Tenancy Management Office in writing if there is any change of ownership;

- to observe the provisions governing resale in the Housing Ordinance;
- to comply with the Deed of Mutual Covenant, namely:
 - not to keep dogs and pets, erect any unauthorised structures, make any structural alterations or any alterations affecting the external appearance of the building and not to obstruct the common area;
 - to pay management and other fees on time;
 - to keep the flats in good repair so as not to cause nuisance to other residents, and to allow workers to enter their flats to carry out any necessary maintenance and repair duties;
 - to make arrangement with other owners to appoint an Owners' Committee to advise on estate management matters or appoint a Management Committee for the purpose of forming an Owners' Corporation (OC) to manage the estate within one year after the issue of the Certificate of Completion or nine months of the execution of Deed of Mutual Covenant (not applicable to PSPS estates).

Tenants Purchase Scheme (TPS) Flat Owners

1. The Owners have the Rights:

- to exercise the rights conferred on the owners as an owner by the Deed of Mutual Covenant;
- to use the communal facilities in the estate;
- to monitor the performance of the property management agent and the service contractors in their respective areas of responsibility;
- to request the HA to carry out structural repairs during the 7-year Structural Safety Guarantee (SSG). The 7-year SSG provided for all TPS estates have already expired;
- to sell, let or assign the flat in the open market after a lapse of two years from the date of first assignment subject to payment to the HA a premium which is calculated in accordance with the formula as stipulated in the Schedule to the Housing Ordinance;
- to sell the flat, after a lapse of two years from the date of first assignment to an eligible purchaser in the HOS Secondary Market without payment of a premium to the HA.

2. The Owners have the Responsibilities:

- to observe the terms and conditions of the conveyance and use the flat solely for residential purposes, i.e., to live in the flat with the authorised occupants and never use it for commercial or letting purposes, and to inform the District Tenancy Management Office in writing of any change of ownership as soon as it occurs;
- to observe the provisions of the Housing Ordinance governing resale;
- to comply with the provisions of the Deed of Mutual Covenant, including:
 - not to keep dogs and pets without permission; not to erect any unauthorised structures, make any structural alterations or modifications or do anything which affects the external appearance of the building, and not to obstruct the common area;
 - to pay management and other fees on time;
 - to keep the flat in good repair so as not to cause nuisance to other residents, and to allow workers to enter the flat to carry out any necessary maintenance and repair duties.

Contact Information

HA Hotline : 2712 2712 (24-hour service)
Faxline : 2624 5685
Email : hkha@housingauthority.gov.hk

Commercial Premises Tenderers

1. The Tenderers have the Rights:

- to obtain information on the tendering procedures, eligibility criteria and details of the premises under offer;
- to know the terms and conditions of the tender;
- to know the HA's progress in handling their tender and be notified of the result;
- to participate in restricted tenders and to ask for detailed information on this from HA's Redevelopment Sub-section if they are commercial tenants affected by redevelopment.

2. The Tenderers have the Responsibilities:

- to submit the completed tender documents together with the deposit (cheque or cashier order) before the close of invitation;
- to provide full and accurate information about themselves and their partner(s)/ limited company, substantiated by documentary proofs upon HA's request, and ensure that the declarations made are true and accurate;
- to attend the pre-letting interview on a specified date and complete the signing-up formalities.

3. Services provided by the Hong Kong Housing Authority:

- Tender Forms and documents can be obtained from:
 - HA/HD Web Site at <http://www.housingauthority.gov.hk>
 - the designated Shopping Centre Management Offices/ Estate Offices;
 - the enquiry counters of the Commercial Properties Management Unit of the Estate Management Division located at: Wing A, Level 3, The Hong Kong Housing Authority Customer Service Centre, 3 Wang Tau Hom South Road Kowloon, Hong Kong
- The HA has set up enquiry counters at the Commercial Properties Management Unit to provide assistance to tenderers. A tender box is placed at the Commercial Properties Management Unit for collection of completed tender documents during the tender invitation period.
- Upon the close of tender invitation, the HA will check and sort out the tenders received. The HA will inform the tenderers in writing of the tender result. If the tenderers are successful, they will be invited to complete signing up formalities. If the tenderers are unsuccessful, they will be refunded the tender deposit paid.
- Information can be obtained through HA's Tender Information Hotline 2607 8866 and free facsimile at 2712 2712. Applicants may also contact our Commercial Properties Management Unit at 2711 5138 direct during office hours.

Contact Information

Commercial Properties Management Unit

Telephone : 2711 5138

Tender Information Hotline : 2607 8866

HA Hotline : 2712 2712 for enquiries or for receiving information through fax

Email : hkha@housingauthority.gov.hk

Commercial Premises/ Non-domestic Premises Tenants

1. The Tenants have the Rights:

- to use the premises in accordance with the terms of the tenancy agreement;
- to obtain information on fitting-out requirements.

2. The Tenants have the Responsibilities:

- to observe strictly the terms of the tenancy agreement, including the payment of rent on time, application for fitting-out works and engaging in business of the specified trade within the designated area, etc;
- to comply with licensing requirements of relevant authorities and provide the HA with copy/ copies of the licence(s);
- submission to the Independent Checking Unit for Alteration and Addition Works if required;
- not to create any nuisance such as pollution, noise, obstruction, etc.

3. Services provided by the Hong Kong Housing Authority:

- The HA monitors and administers all commercial lettings of the HA;
- A guideline has been developed to help the prospective tenants to identify what types of fitting-out works would require submission to Independent Checking Unit and licensing authority. Respective Shopping Centre Manager would provide the guideline to the prospective tenants before they submit their applications;
- For complicated submission, a case conference can be arranged with the tenant to collate input from the different disciplines simultaneously.

Contact Information

Commercial Properties Management Unit/ Non-domestic (HQ) Management Unit
Telephone : 2711 5138
HA Hotline : 2712 2712 for enquiries
Email : hkha@housingauthority.gov.hk

Section C

Chapter 2: Performance Pledge

The Hong Kong Housing Authority will conduct periodic review on the performance pledge according to the needs of the clients.

Public Rental Housing Applicants

1. We will within 3 months from the confirmed receipt of their applications notify the applicants in writing as to whether they are successful in public rental housing registration.
2. When an application reaches the detailed vetting stage, we will give the applicant 1 week's advance notice of the detailed vetting interview.
3. We will conduct the detailed vetting interview within 30 minutes of the appointed time if the applicants arrive on time.
4. Upon submission of full information by the applicants during the detailed vetting interview at detailed vetting stage, we will conduct checking and verification and advise the applicants on whether they are eligible for allocation within 2 months.
5. We will conduct a vetting interview with the applicant within 3 weeks upon receipt of referral from the Social Welfare Department recommending "compassionate rehousing".
6. We have set up the e-service on the web and the Housing Authority Hotline 2712 2712 enabling applicants to enquire on the progress of their applications. We will update the status of the relevant application progress data in the system as at the end of the preceding working day.

Public Rental Housing Tenants

Tenancy Matters

7. We will attend to tenants within 7 minutes when they visit our estate office during office hours.
8. We will attend to tenants within 18 minutes when they pay rent at our estate office during rent collection service hours.

9.
 - (a) We will refund domestic rental deposit and overpaid rent to ex-tenants within 2 weeks upon receipt of application if adequate information is provided and no outstanding debt is owed to the Housing Authority.
 - (b) We will notify tenants of the outcome within 2 weeks upon receipt of application for rent assistance if adequate information is provided.
10.
 - (a) We will provide interim replies for applications relating to change of head of household, special transfer, rent reversion and subsidy for the installation of an emergency alarm within 10 days if required documents are provided.
 - (b) We will provide substantive replies for these applications within 18 days. If we cannot provide a substantive reply within 18 days, we will keep tenants informed of the progress on or before the substantive reply due date and on a monthly basis.
11.
 - (a) We will attend to complaints about security and cleansing services in the estate within 12 hours of report to the estate office.
 - (b) We will arrive at the scene within two hours upon receipt of any report relating to rodent issue in estates and follow up appropriately according to situation.
12. We will notify PRH tenants of the outcome within 2 weeks upon receipt of their applications for Certificate of Eligibility to Purchase of a Home Ownership Scheme (HOS), Tenants Purchase Scheme (TPS) or Green Form Subsidised Home Ownership Scheme (GSH) flat under the HOS Secondary Market Scheme, subject to the availability of required information.
13. We will notify PRH tenants of the outcome within 60 days upon receipt of their applications for purchase of their flats in Tenants Purchase Scheme (TPS) estate, subject to the availability of required information.

Maintenance Matters

14. Maintenance personnel will arrive at the scene for report of lift breakdown:
 - (a) Within 45 minutes where no trapping of passengers is involved;
 - (b) Within 25 minutes if trapping of passengers is involved;
 - (c) Have them rescued within 30 minutes of arrival.
15. For sudden interruption of electricity supply:
 - (a) Estate management personnel will arrive at the scene to attend to the sudden interruption of electricity supply within 15 minutes upon receipt of report to the estate office;
 - (b) Maintenance personnel will arrive within 1 hour for maintenance during office hours;

- (c) Maintenance personnel will arrive within 2 hours for maintenance after office hours;
 - (d) Supply will be resumed within 8 hours after inspection for interruption that affects more than one domestic flat and/or the common areas of the domestic block.
16. For sudden interruption of fresh water supply:
- (a) Estate management personnel will arrive at the scene to attend to the sudden interruption of fresh water supply within 15 minutes upon receipt of report to the estate office;
 - (b) Maintenance personnel will arrive within 1 hour for maintenance;
 - (c) Supply will be resumed within 9 hours after inspection where no repairs to underground water mains are required.
17. For sudden interruption of flush water supply:
- (a) Estate management personnel will arrive at the scene to attend to the sudden interruption of flush water supply within 15 minutes upon receipt of report to the estate office;
 - (b) Maintenance personnel will arrive within 2 hours for maintenance;
 - (c) Supply will be resumed within 20 hours after inspection where no repairs to underground water mains are required.
18. We will arrive at the scene to attend to blockage of drainage in public areas under the HD's care within 15 minutes upon receipt of report to the estate office.
19. We will commence repairs within 12 days upon receipt of tenants' request to the estate office for repairs which the HD is responsible. We will inform tenants of the reasons for the delay within 5 days if longer time is needed to commence works.
- (The above repair requests exclude those as mentioned in pledges no. 14 to 18)

Tree Management Matters

20. Upon receipt of report of suspected hazard imposed by trees managed by the HD:
- (a) We will arrive at the scene within 30 minutes;
 - (b) We will cordon off the hazardous zone within 90 minutes of arrival;
 - (c) We will arrange clearing of fallen branches, if any, within 4 hours of arrival;
 - (d) We will conduct an inspection to the condition of the tree in question within 3 days.

Home Ownership Scheme (HOS)/ Tenants Purchase Scheme (TPS)/ Green Form Subsidised Home Ownership Scheme (GSH) Flat Owners

21. We will notify HOS/ TPS/ GSH flat owners of the outcome within 2 weeks upon receipt of their applications for Certificate of Availability for Sale (CAS) of their flats under the HOS Secondary Market Scheme, subject to the availability of required information.

Commercial Premises Applicants

22. We will notify tenderers of the validity of tender for leasing of commercial premises within 14 days of the closing date of tender invitation.
23. Subject to the availability of required information, we will refund the tender deposit to tenderers after Tender Listing Team concluded within 18 days of the closing date of tender invitation if their tenders are not accepted, unless the tenderer is the highest bidder.
24. If the tenderer is the highest bidder, we will inform him/ her of the tender result for leasing of commercial premises within 25 days of the closing date of tender invitation.

Commercial Premises/ Non-domestic Premises Tenants

25. We will vet from Landlord's role and approve tenants' applications for fitting-out works according to the following 3 classes, subject to the availability of requisite information:
 - (a) Simple case:
No alteration of Building Services installations, structure, waterproofing, drainage, compartmentation, outlook of the building. To be completed within 10 days.
 - (b) Normal case:
Considerable amount of building works, relocation of internal partitions, forming of openings in floor or wall. To be completed within 20 days.
 - (c) Complicated case:
Involved major building works, additional floor or wall, installation of heavy machine or equipment. To be completed within 30 days.

(The above time frames exclude the time required for processing by the Independent Checking Unit under the Office of the Permanent Secretary for Housing for fitting-out works which involve alteration and addition.)

26. We will provide commercial premises tenants with new rent and new tenancy terms 3 months before expiry of the existing tenancies if renewal is approved.

Works and Services Contractors

27. Upon receipt of a complete set of information from the applicant for admission onto HA's List of Works Contractors and Property Management Services Providers, the processing shall be completed within 3 months.

General public

28. We will provide an interim reply within 10 days of receipt of complaint and enquiry cases.
29. We will provide a substantive reply within 21 days of receipt of complaint and enquiry cases. If we cannot provide a substantive reply within 21 days, we will keep the complainant/ enquirer informed of the progress on or before the substantive reply due date and on a monthly basis.
30. All telephone calls to Housing Authority Hotline will be answered by the hotline system within 20 seconds.

Section C

Chapter 3: Public Enquiry Service

Enquiry service is available at estate offices, property services management offices, district tenancy management offices, commercial properties management unit and the Hong Kong Housing Authority Customer Service Centre. Tenants or members of the public can also dial the following hotlines to enquire about our services:

24-Hour Service

Hong Kong Housing Authority Hotline 2712 2712

Hong Kong Housing Authority Sales & WSM Hotline 2712 8000

(The above hotlines handle enquiries on general housing policies, provide information on applications for public housing and subsidised home ownership scheme, and 24-hour agent answering services to receive comments and complaints.)

Faxline 2624 5685

E-mail: hkha@housingauthority.gov.hk

During Normal Office Hours

HOS Secondary Market Scheme 3162 0680

Public Rental Housing Application of Elderly 2794 5134

Letting of Promotion Venue 2794 5344

Letting of Commercial Premises 2711 5138