

Steering Committee on Review of the Urban Renewal Strategy

Study on Building Maintenance Programmes

Introduction

At the sixth meeting of the Steering Committee on Review of Urban Renewal Strategy (URS), it was agreed that a desk-top study to take stock of and analyse the work of the Government and other public agencies in building maintenance and management should be conducted. This paper summarises the preliminary findings of the study.

Background

2. The Government has been adopting the following principles in its building maintenance policies –

- (a) it is the owners' responsibility to ensure that their buildings are in good repair;
- (b) the Government should ensure safety standards through enforcement against non-compliance with statutory requirements; and
- (c) the Government should, in collaboration with other partner organisations, suitably assist building owners to conduct repair and maintenance works.

3. The Government has been reviewing its policies on building maintenance regularly. In 2001, the Government announced the "Implementation Plan for the Comprehensive Strategy for Building Safety and Timely Maintenance", involving a range of initiatives to promote building maintenance. In 2003 and 2005, the then Housing, Planning and Lands Bureau conducted two rounds of public consultation, with an aim to mapping out further initiatives to arrest the long-standing problem of building neglect. The major proposals that emerged as a result of the two consultation exercises include the Mandatory Building Inspection Scheme, Mandatory Window Inspection Scheme and the Voluntary Building Classification Scheme.

4. At present, a number of Government bodies and public agencies are actively involved, and collaborating with one another, in building maintenance related enforcement programmes and assistance schemes in Hong Kong. They include –

- (i) Development Bureau, Buildings Department (BD), Electrical and Mechanical Services Department and Water Supplies Department;
- (ii) Home Affairs Bureau and Home Affairs Department;
- (iii) Security Bureau and Fire Services Department;
- (iv) Food and Health Bureau and Food and Environmental Hygiene Department;
- (v) Hong Kong Housing Society (HKHS); and
- (vi) Urban Renewal Authority (URA).

The Study

5. The policy study consultant of the URS Review remarked in the concluding chapters of its report that building rehabilitation in Hong Kong was progressing well and was moving ahead of other cities. To dovetail with the research, it is timely to conduct a desk-top study on Hong Kong's experience in building maintenance, in particular what Government should and could do to encourage owners to maintain their own buildings. This would facilitate the Administration in consolidating the work of the Government (BD in particular), URA, HKHS and other stakeholders over the years and identify room for enhancement. We have also taken the opportunity to consider the interface of building management and building maintenance.

Objectives

6. The proposed objectives of the study are as follows –
- (i) to take stock of the various policy initiatives, programmes and assistance schemes administered by the various public agencies in building maintenance; and
 - (ii) to identify issues concerning the interface amongst various agencies and schemes under the current regime.

In-house Stock-taking

7. As the first phase of the study, we have conducted an in-house stock-taking exercise with the various public agencies involved in building maintenance. We have collected the factual details on their policies and programmes, modus operandi of their schemes and statistics of implementation. In addition, the agencies were invited to provide comments and offer insights on the interface issues and room for further improvement in the current mode of operation.

Observations

Existing Programmes

8. The organisations mentioned in paragraph 4 have been adopting a multi-pronged strategy in promoting proper and timely building maintenance. Existing approaches include the following:

- (i) legislative programmes;
- (ii) enforcement actions;
- (iii) financial and technical/operational support to owners (and owners' corporations (OCs));
- (iv) recognition schemes; and
- (v) educational programmes.

A summary of the existing programmes to promote building maintenance and management under the above categories is at Annex.

9. The BD is one of the major enforcement agencies on building safety and has been undertaking various enforcement actions and programmes to tackle building defects, unauthorised building works (UBWs), illegal rooftop structures, abandoned signboards, etc. For example, under the Coordinated Maintenance of Buildings Scheme, the BD and relevant Government departments take coordinated enforcement actions while the HKHS/URA and other agencies provide comprehensive support to owners to repair, maintain and manage their buildings.

10. On the other hand, preventive measures, namely the proposed Mandatory Building and Window Inspection Schemes, are also being taken forward, with the relevant legislation introduced in February 2010 for the scrutiny of the Legislative Council. In order to facilitate building owners to

comply with BD's enforcement actions as well as repair and maintain their buildings, the aforementioned organisations run various schemes providing advisory and financial assistance to owners. Examples include the BD's Comprehensive Building Safety Improvement Loan Scheme, the HKHS's Building Management and Maintenance Scheme as well as the URA's Building Rehabilitation Loan Scheme and Building Rehabilitation Materials Incentive Scheme. These assistance schemes are also applicable to voluntary repair and maintenance works.

11. Apart from the above, the Government also launches various assistance programmes to encourage and help building owners properly repair and maintain their properties. Recent examples include the \$1-billion Building Maintenance Grant Scheme for Elderly Owners and the \$2-billion "Operation Building Bright" (OBB).

Common Problems Identified

12. According to the input of the organisations concerned, the following difficulties/problems are commonly identified in implementing the various programmes:-

- (i) lack of awareness of owners about building safety/management;
- (ii) difficulties in locating owners;
- (iii) inertness of owners in response to orders/assistance;
- (iv) difficulties in assisting owners to establish OCs, having meetings and reaching consensus; and
- (v) lack of understanding of owners on the operation of various assistance schemes, which are provided by different organisations, and some of which are similar in nature and share common objectives but with different scopes/eligible criteria.

Further Considerations

13. It is noted that the various legislative regulatory regimes and enforcement programmes have their specific purposes and target groups. While some programmes require regular inspection and maintenance action of buildings, many will only be triggered when irregularities are found in the buildings or when the buildings have reached a certain age. Most programmes are specialised to target at particular building areas such as fire safety, building safety, electrical safety, etc. The various statutory and enforcement programmes should continue to focus on their target groups. Nevertheless, there is room for consideration of further consolidation for the

different technical and financial assistance schemes, provided by the Government and a number of supporting organisations, to more effectively assist building owners to fulfill their statutory obligations.

Coordinated One-stop Service for Building Owners

14. Conducting building maintenance works is not an easy task and requires the collective decision of owners in a building. From the observations of the Government departments and various supporting agencies, the promulgation of clear maintenance guidelines and the provision of one-stop technical support by teams of property management and maintenance professionals will greatly complement the owners' efforts in pursuing the repair works, especially for those owners and OCs with little prior knowledge or experience in coordinating large-scale building maintenance works. Owners will feel more comfortable in the process of conducting repair works if there is an agency to answer their enquiries and provide technical advice.

15. Through the implementation of the recent OBB, the BD, HKHS and URA have further consolidated their partnership in promoting building safety. With BD focusing on its statutory role to take enforcement actions and HKHS and URA on the provision of practical advice and technical support, the three organisations have created much synergy in taking forward their shared goal of improving building safety in Hong Kong. The Government should continue to nurture such modus operandi so developed in pursuing its various programmes to enhance building safety.

16. There are various agencies providing technical assistance and support to owners. In general, they define their target building groups by type of building defect or building function. It is common for a single old building to have a number of problems and owners may wish to conduct rectification works in one go. It is inconvenient for owners of buildings, especially those without OCs, to contact a number of agencies to obtain assistance. Building on the experience of the OBB, the Government should consider the concept of a "one-stop service" in which all enquiries from the owners of a target building can be directed to one dedicated agency to lessen the hassle on the part of the building owners in coordinating building works.

17. It is noted that the HKHS and URA have been developing initiatives in the above direction. A comprehensive telephone hotline on building management and maintenance issues will be launched shortly. Building owners can obtain information on all kinds of programmes and matters,

administered by the Government or otherwise, by calling the single hotline. The Government may consider further measures along this direction.

Consolidation of Various Financial Assistance Schemes

18. Similar to the technical assistance programmes, there are various financial assistance schemes currently available. While they are run by different agencies catering for the different needs of buildings, many share common objectives and have similar eligibility criteria. Very often, a building owner or an OC is eligible for a number of financial assistance schemes for a single building repair project. Consolidation of the financial assistance scheme will not only save the time and cost for the Government/supporting agencies in administration work but also enhance the convenience of building owners in making applications. It is noted that the Government is undertaking a review to explore room for consolidation of the various financial assistance schemes.

19. The various financial assistance schemes are administrative in nature and their adjustment will not involve any legislative amendments and hence can be implemented more swiftly. Endorsement from the Finance Committee of the Legislative Council for adjustment of some schemes may have to be sought.

Publicity and Public Education

20. Maintaining building safety is the ultimate responsibility of building owners. From the feedback of the various Government departments and agencies obtained in this exercise, it is revealed that building owners' safety awareness is generally weak. The Government should map out a robust publicity and public education programme to arouse and sustain people's awareness and cultivate a building safety culture. Emphasis should be put on owners' responsibility and merits of timely maintenance, risk from unsafe building works and liability from constructing/retaining UBWs. Some possible themes are proposed below for inclusion in future publicity programme -

- (a) Proper building maintenance and management will extend the life span and enhance the value of properties;
- (b) Owners may have to bear severe legal consequences because of negligence (e.g. heavy compensation responsibility for accidents causing casualties). Illegal alterations of structural elements of

- buildings and construction of UBWs can lead to deadly incidents;
- (c) Owners should take statutory orders seriously and take immediate follow-up actions, otherwise they will be prosecuted and sanctioned by the authorities;
 - (d) Owners should have the basic understanding of the statutory regime and know how they can engage qualified personnel to conduct building works legally;
 - (e) Owners should organise themselves to manage and maintain their buildings; and
 - (f) Occupants should choose rental flats carefully and avoid premises that are unsafe (e.g. units with a large number of unauthorised alterations).

Advice Sought

21. Members are invited to note the preliminary findings and comment on the proposed further considerations mentioned above.

Development Bureau
March 2010

Study on Building Maintenance
Summary of Existing Programmes to Promote Building Maintenance and Management

(i) Legislative Programmes

Scheme/Programme	Implementation Agency(ies)	Target group(s)	Objective(s)
Mandatory Building and Window Inspection Schemes (being scrutinised by Legislative Council)	BD	Building owners	To arrest the long-standing problem of building neglect and ensure building safety in the long run by requiring owners to carry out regular inspection and necessary repair of their buildings and windows.
Buildings (Amendment) Ordinance 2004 – Enforcement actions against persons obstructing OCs in complying with statutory orders	BD	OCs (which are affected by uncooperative owners/tenants)	To facilitate OCs in fulfilling their obligation to comply with the statutory order with BD's power to prosecute uncooperative persons who obstruct the execution of works required.

Scheme/Programme	Implementation Agency(ies)	Target group(s)	Objective(s)
Building Management Ordinance (BMO) (Cap. 344)	HAD	All owners, MCs, OCs, managers of private multi-storey buildings with multi-ownership	To rationalise the appointment procedures of MCs and its members, to assist OCs in performing their duties and exercising their powers, and to safeguard the interests of property owners.
Building Management (Third Party Risks Insurance) Regulation (Cap. 344 sub. leg. B)	HAD	OCs	By procuring third party risks insurance for common parts of a building, to ensure the best protection of the interests of owners and third parties, and help alleviate the burden of OCs and owners in cases of accidents in which property of an OC causes injury or death of a third party.
Electricity Ordinance (Cap. 406) and Electricity (Wiring) Regulations (Cap. 406 sub. leg. E)	EMSD	Owners of fixed electrical installation in buildings	To enhance building electrical safety by performing periodic inspection, testing and certification work on fixed electrical installation in buildings.
Lifts and Escalators (Safety) Ordinance (Cap. 327)	EMSD	Owners of lift and escalator installation in buildings	To ensure building lift and escalator safety by requiring periodic maintenance, examination, testing and certification on lift and escalator installations in buildings.

(ii) Enforcement Actions

Scheme/Programme	Implementation Agency(ies)	Target group(s)	Objective(s)
<p>Large Scale Operations –</p> <p>(1) Blitz UBWs clearance</p> <p>(2) Clearance Operation of UBWs in Pedestrian Streets</p> <p>(3) Programmed Repair of Old Buildings Scheme</p> <p>(4) Special Operation to Remove Unauthorised Decorative Works at Shopfronts</p>	<p>BD</p>	<p>Public and building owners</p>	<p>To reduce or remove danger and nuisance caused by UBWs and to arrest building dilapidation through issuing removal and repair orders as appropriate and instigating prosecutions if owners fail to comply with the orders.</p>
<p>Coordinated Maintenance of Buildings Scheme</p>	<p>BD, HAD, FSD, EMSD, FEHD, WSD, EPD and HKHS</p>	<p>Owners and OCs of buildings with defects in common areas and with a large number of UBWs</p>	<p>To provide assistance and service to building owners and OCs in a one-stop approach on building maintenance and management aspects through joint enforcement actions and advisory services.</p>

Scheme/Programme	Implementation Agency(ies)	Target group(s)	Objective(s)
Demolition of Illegal Rooftop Structures (IRSs)	BD	Public and building owners	To remove the IRSs in single-staircase buildings where the means of escape in case of fire is hampered by the IRS through issuing removal orders and instigating prosecutions if owners fail to comply with the orders. Re-housing would be provided to eligible occupants affected.
Programmed Inspection for Pre-war Buildings	BD	Owners of pre-war buildings	To conduct condition survey of target buildings in a pre-determined time-frame and to instigate enforcement action (e.g. repair orders), if necessary, to arrest building dilapidation problems due to ageing and lack of regular maintenance.
Operations on dangerous/ abandoned/ large unauthorised signboards	BD	Building owners and signboard owners	To identify danger and nuisance caused by unauthorised advertisement signboards and to take enforcement to remove large unauthorised/dangerous/abandoned signboards.

Scheme/Programme	Implementation Agency(ies)	Target group(s)	Objective(s)
Fire Hazard Abatement under the Fire Services Ordinance (Cap 95)	FSD	Owners/occupiers of buildings and premises	To abate building fire hazards identified and to ensure that Fire Service Installation and Equipment are provided in buildings/premises according to their intended use(s) and are properly maintained through issuing Fire Hazard Abatement Notices and instigating prosecutions.
Upgrading of Fire Safety Standards in Prescribed Commercial Premises (PCPs) and Specified Commercial Buildings (SCBs) under Fire Safety (Commercial Premises) Ordinance (Cap. 502)	FSD and BD	Owners/occupiers of PCPs and SCBs	To provide better protection from the risk of fire for occupants and users of, and visitors to, certain kinds of commercial premises and commercial buildings through inspection, issue of Fire Safety Directions and Fire Safety Improvement Directions.
Upgrading of Fire Safety Standards in Pre-87 Composite Buildings and Domestic Buildings under Fire Safety (Buildings) Ordinance (Cap. 572)	FSD and BD	Owners/occupiers of old composite buildings and domestic buildings	To provide better protection from the risk of fire for occupants and users of, and visitors to, certain kinds of composite buildings and domestic buildings through inspection, issue of Fire Safety Directions and Fire Safety Improvement Directions.

(iii) Financial and Technical/operational Support to Owners (and Owners' Corporations)

Scheme/Programme	Implementation Agency(ies)	Target group(s)	Objective(s)
Operation Building Bright (one-off)	BD, URA and HKHS	Owners of old and dilapidated target buildings aged 30 years or above and meeting eligibility criteria	To achieve the dual objective of creating more job opportunities in the repair and maintenance sector of the construction industry as well as promoting building safety and improving the cityscape and living environment with the provision of subsidies and one-stop technical assistance.
Comprehensive Building Safety Improvement Loan Scheme	BD	Building owners (Interest-free loans will be provided to owners of low income category)	To provide loans to individual owners of private buildings, including domestic, composite, commercial and industrial buildings, who may wish to obtain financial assistance in carrying out works for improving safety of their buildings and/or private slopes.

Scheme/Programme	Implementation Agency(ies)	Target group(s)	Objective(s)
Building Rehabilitation Loan Scheme (BRLS) and Hardship Grant (BRGS)	URA	OCs and owners of old residential buildings (aged 20 or above) within URA scheme areas	To promote and encourage voluntary rehabilitation of old buildings by providing subsidies, interest-free loan and third party technical advice. Hardship grant will be provided to CSSA recipients, eligible elderly or disabled owners.
Building Rehabilitation Materials Incentive Scheme (BRMIS)	URA	Old residential and composite buildings (aged 20 or above) within URA scheme areas with outstanding repair orders	To promote and encourage comprehensive rehabilitation works in common areas of old buildings by providing incentive and technical advice to OCs.
Building Maintenance Grant Scheme for Elderly Owners (BMGS)	HKHS	Elderly owner-occupiers aged 60 or above who have low income and modest assets, subject to a simple declaration-based means test	To provide financial assistance to elderly owner-occupiers to repair and maintain their self-occupied buildings and to upkeep building safety.

Scheme/Programme	Implementation Agency(ies)	Target group(s)	Objective(s)
<p>Building Management and Maintenance Scheme (BMMS) –</p> <p>(1) Building Management Incentive Scheme (MGTI)</p> <p>(2) Building Maintenance Incentive Scheme (MI)</p> <p>(3) Home Renovation Loan Scheme (HRLS)</p>	HKHS	OCs and owners of old buildings with aged 20 years or above and meeting certain criteria	To promote building management and maintenance with HKHS's own resources and expertise, and to assist owners of private buildings to have a safe and hygienic living environment by providing one-stop services through provision of financial incentives and technical advices on building management and maintenance.
District Building Management Liaison Teams (DBMLTs)	HAD	All owners, MCs, OCs, managers of private multi-storey buildings with multi-ownership	To provide comprehensive and tailor-made assistance and advice related to building management problems of privately owned properties services for residents in each of the 18 districts.

(iv) **Recognition Schemes**

Scheme/Programme	Implementation Agency(ies)	Target group(s)	Objective(s)
Voluntary Building Classification Scheme (VBCS)	HKHS	All private domestic and composite buildings in Hong Kong of any ages	To support Mandatory Building Inspection Scheme (MBIS) by encouraging building owners to maintain high standard in building management and maintenance through the provision of positive recognition. Buildings accredited with good ratings under VBCS will be exempted from the MBIS.
Quality Water Recognition Scheme for Buildings	WSD	Owners, operators and management agents of buildings in general	To encourage building owners to maintain their plumbing systems properly so that they can enjoy good quality of water at the taps, and, among others, assist the owners, operators and building management agents to conduct self-assessments on plumbing conditions and to identify areas for necessary maintenance.

(v) **Educational Programmes**

Scheme/Programme	Implementation Agency(ies)	Target group(s)	Objective(s)
Fire Safety Ambassador Scheme	FSD	Local residents who are 12 years old or above	To educate the public on fire safety matters through training participants.

Legend:

- BD: Buildings Department
- EMSD: Electrical and Mechanical Services Department
- EPD: Environmental Protection Department
- FEHD: Food and Environmental Hygiene Department
- FSD: Fire Services Department
- HAD: Home Affairs Department
- HKHS: Hong Kong Housing Society
- MCs: Management Committees
- OCs: Owners' Corporations
- UBWs: Unauthorised Building Works
- URA: Urban Renewal Authority
- WSD: Water Supplies Department