



THE HONG KONG INSTITUTE OF SURVEYORS

July 18, 2005

Mr. SUEN Ming Yeung, Michael, GBS, JP
Secretary for Housing, Planning and Lands
Housing, Planning and Lands Bureau
8th Floor, West Wing
Central Government Office
11 Ice House Street
Central
Hong Kong

Dear Mr. Suen,

Re : Proposed Mandatory Building Inspection

We are pleased to learn from the "Report on the Public Consultation on Building Management and Maintenance" published by your Bureau on January 2005 that the Government has the intention to further study the feasibility of Mandatory Building Inspection.

Our institute has long been advocating this direction as an effective means of resolving building dilapidation in Hong Kong. Our initial thoughts can be traced back to Year 1997 when we submitted a proposal, namely "A New Dimension in the Maintenance of Private Buildings in Hong Kong (香港私人樓宇保養新紀元)", to the Secretary for Planning, Environment and Lands in March 1997. As we believed that the implementation procedures of Mandatory Building Inspection as illustrated in our proposal remains applicable to-date, we therefore enclosed a copy for your perusal and consideration.

During our meeting with your colleagues in April 2005 on our Building Affairs Tribunal proposal, we had also touched on the subject of Mandatory Building Inspection. Our views on Mandatory Building Inspection, including estimates on the consultancy fee and timing for survey report, are outlined in the attached Appendix for your easy reference.

香港測量師學會



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For simplicity to lay building owners, the survey report should be purported as a "Basic Investigation" aiming to cover all variety of building defects and a basic assessment of their current deteriorating states according to a range of simplified classification. Further Investigation" would be recommended in the report if further specialist examination and testing are required. The rationale mirrors the preliminary assessment by a medical general practitioner before further referral of a patient to a specialist doctor.

We hope that our ideas would be useful to you and should you require any further elaboration, we are more than happy to meet with you or your colleagues. Please feel free to contact our Manager, Ms Margaret YUNG at 25263679 for arrangement.

Thank you for your kind attention.

Yours sincerely

For and on behalf of

THE HONG KONG INSTITUTE OF SURVEYORS

TT Cheung

President (2004-2005)

Outlines on Mandatory Building Inspection Scheme

1.0 Basic Concerns – public safety, safety of occupants

1.1 Structural Safety Concern

- 1.2 Other Safety Concern
- Means of Escape
 - Means of Access for firefighting & rescue
 - Fire Resisting Construction
 - Drainage System

1.3 UBWs – those having safety concern or affecting ventilation.

2.0 Implementation

- 2.1 Survey
- staircase & corridors
 - external walls
 - main roof(s)
 - other common areas

- 2.2 Report
- customized; comprehensive while user-friendly
 - submit to owner and copy to B.D.

- 2.3 BD follow up action – advisory letters and/or statutory orders

3.0 Considerations

3.1 Estimated Cost – Information Collection, Survey and Report

<u>Type of Building</u>	<u>Estimated Cost</u>
(i) buildings of less than 20 units	\$10,000 ~ \$15,000
(ii) buildings of 20-50 units	\$10,000 ~ \$20,000
(iii) buildings of 50-100 units	\$15,000 ~ \$30,000

3.2 Estimated Time – about 1 month in each case

3.3 Time Frame

Recommend to inspect around 4000~5000 buildings each year. Each building of over 20 years old is required to be inspected once every 5 years.

**A NEW DIMENSION IN THE MAINTENANCE OF
PRIVATE BUILDINGS IN HONG KONG**

香港私人樓宇保養新紀元

THE HONG KONG INSTITUTE OF SURVEYORS

AUGUST 1997

A New Dimension in The Maintenance of Private Buildings in Hong Kong

(A report produced by the Building Surveying Division in response to the Government's intention to legislate for the compulsory inspection of private buildings in Hong Kong.) Here below is a summary of the report submitted to the Secretary for Planning, Environment and Lands in March 1997.

1. In 1995 the Government announced her intention to legislate for the compulsory inspection of private buildings in Hong Kong.
2. A wider perspective look revealed that the wide spread phenomena of unauthorized building works and lack of maintenance of 'older' buildings in Hong Kong have become a grave concern in the society.
3. The Hong Kong Government had been striving very hard in the past two decades to combat the problem but to no avail. It is not only the problem of the proliferation of unauthorized building works but the increasing aging of buildings.
4. The attitude of self regulation and initiative has been proven to be unsuccessful when coming to the issues of unauthorized building works and maintenance of buildings.
5. It is time to call on the Government to pass new regulations as mandatory requirements to "conduct regular inspection and the proper maintenance of buildings and that buildings are not altered in such a way that public health and safety is put at risk."
6. The problems can be resolved and accidents can be prevented through the improvement of the maintenance of buildings to an acceptable standard and elimination of unauthorized building works (UBW).

Course of Action 1 - Initiative

7. Building Safety Committee should be formed in the District Boards and vested with duties to actively identify dangerous buildings or buildings in disrepair or causing nuisance in their districts and advise property owners to maintain their buildings.

8. Property owners can be educated through the media of the laws for maintenance of buildings and the obligations of property owners as part of the Government's 'Civic Education' campaign.

9. Professional service should be made accessible to property owners who are willing to use them. The Building Authority should define scope of services, establish standards/ codes of practice, streamline work procedure, standardize fee scale, organize and maintain a register of Registered Professional Maintenance Consultancy (RPMC).

10. Financial assistance for property owners who are willing to maintain their buildings in the form of tax reduction, loans and grants. Expenses in building maintenance are deductible from personal income and property tax.

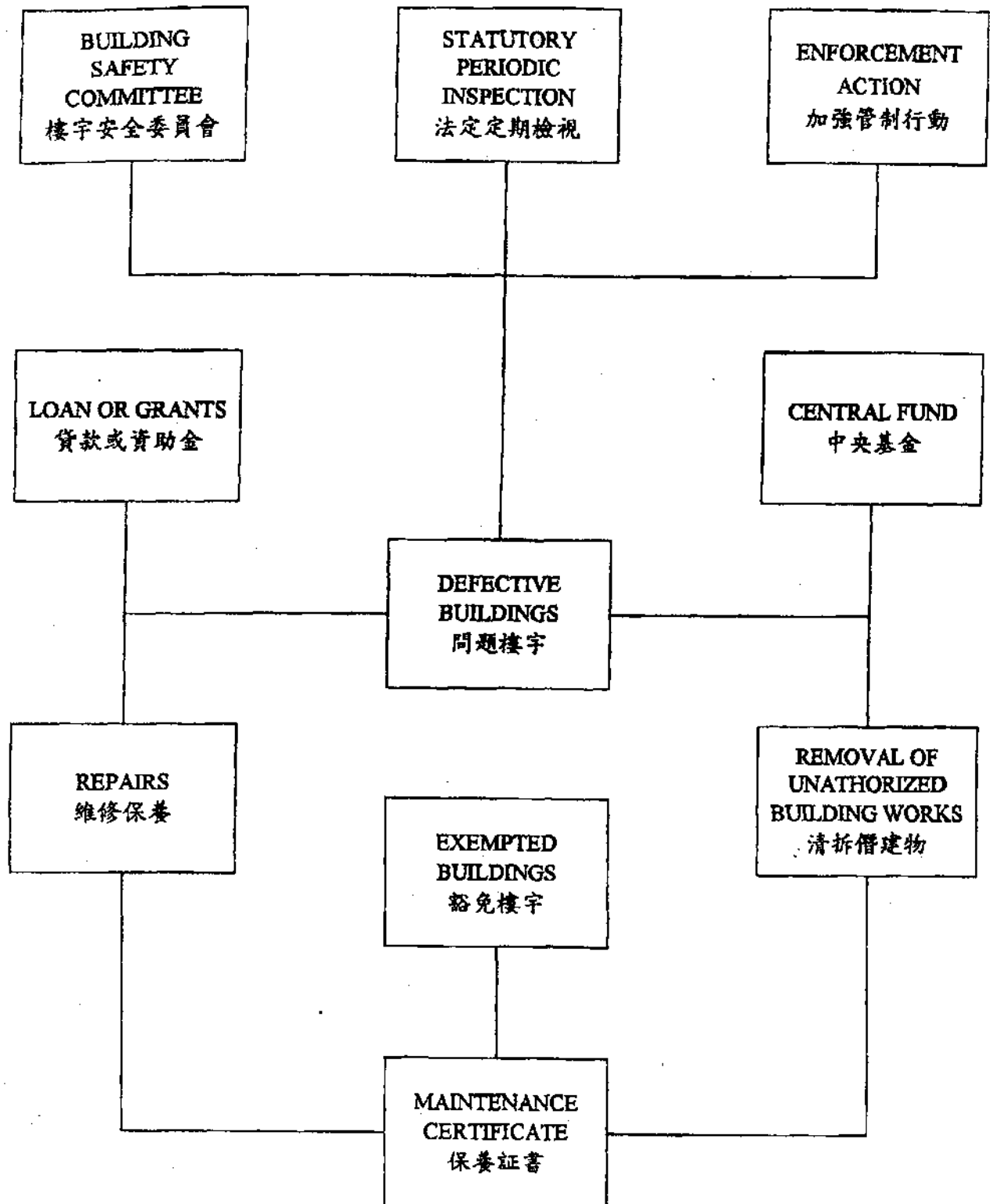
11. The Government should set up a Central Maintenance and Improvement Fund to finance the needy through loans and grants. Those who have successfully been granted with loans and grants will have no privilege for tax reductions and interest at low rate will have to be paid. Applications must be prepared by a RPMC on behalf of the property owner and applicable for maintenance work only.

Course of Action 2 - Guidance

12. New buildings are to be inspected at regular intervals. Owners of existing buildings aged over 15 years will need to have their buildings inspected by the RPMC and repaired to the satisfaction of the RPMC until a maintenance certificate is issued.

13. For buildings which do not comply with the requirements within 6 months from the time the periodic inspection is required, the BA can then act for the property owners of the building in default. All costs including the fees for employment of a RPMC shall be advanced by the BA as loans to the property owners of the building.

14. Exemption and appeal mechanisms should be provided in the system. For example, those properties managed by registered property management firms employing suitably qualified personnel with a planned maintenance scheme and have been well maintained could be exempted from the system in so far as the production of maintenance certificates is concerned. Nevertheless, management firms or incorporated owners are required to declare to the same effect.



BUILDING MAINTENANCE ACTION PLAN 樓宇保養行動大綱

Course of Action 3 - Enforcement

15. Section 24(1) of the Buildings Ordinance should be amended to require that the Building Authority "shall by order in writing to require". Good publicity of this change in legislation will discourage building owners to erect UBWs and it would be clear that no UBWs are acceptable.

16. The present procedure is to be simplified: notices will be served on the owners and occupants without specifying the names of owners provided notices are registered with the Land Registry and privatize some steps of the inspection and enforcement works to RPMCs in order to provide more professional firms to handle all types of UBWs and clear the current backlog.

17. Privatization Scheme - Establish new operation structure by bringing in RPMCs or alternatively establish, as a pilot scheme, task areas and implement scheme in these task areas only. Existing BD staff re-deployed to remaining areas that will be tackled solely by BD staff.

Conclusion

18. It is envisaged that current related provisions under the Buildings Ordinance be brought into a new enactment to be known as the Building (Maintenance) Regulations. This will give weight to the issue and the general public a clear indication of the Government's determination to call for property owners to conduct proper maintenance of their buildings. The Government is strongly suggested to map out an implementation plan for the above system preferably finalized within a year.

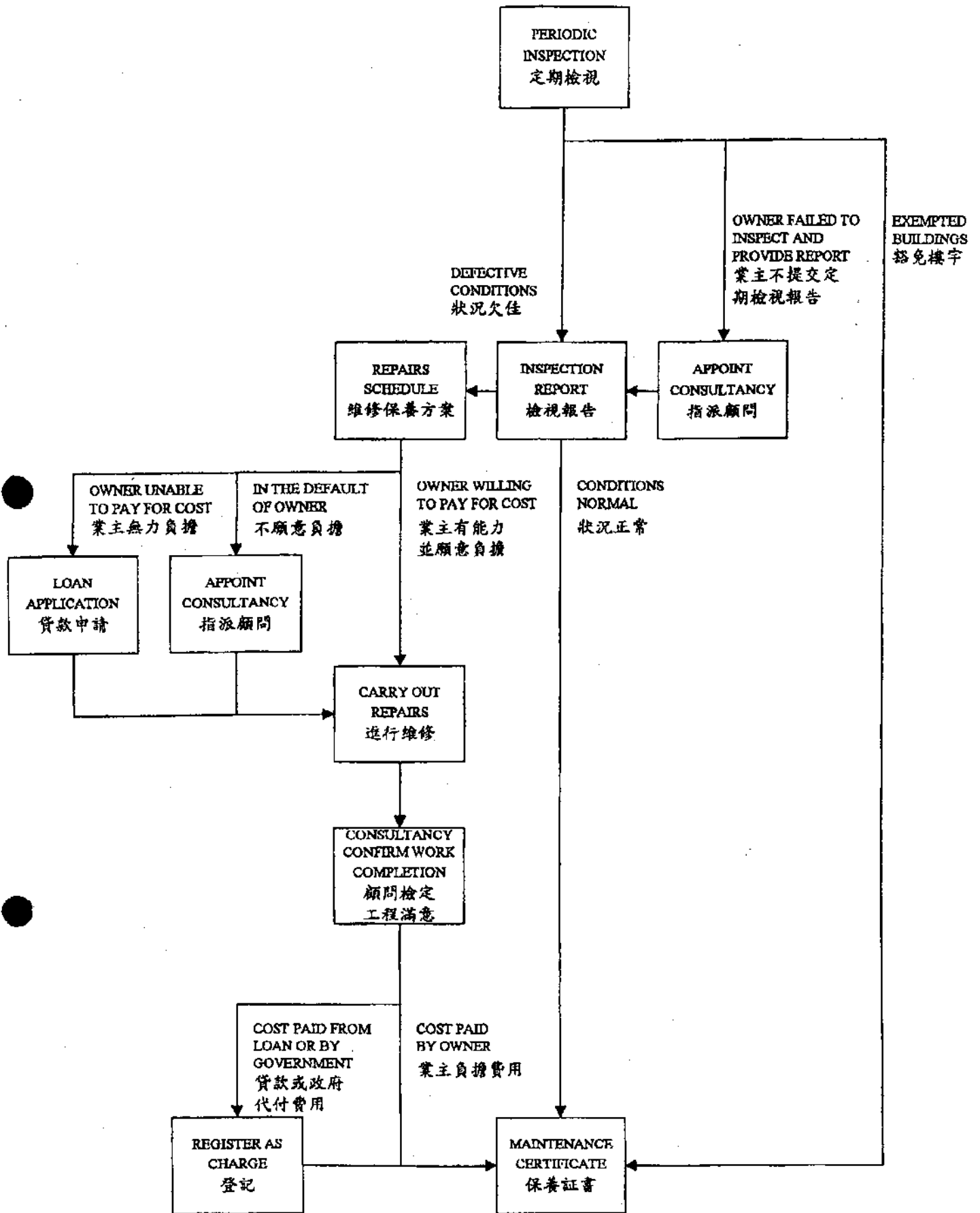


CHART OF PERIODIC INSPECTION PROCEDURES 定期檢視流程表

強制性驗樓不公自擾民 只會肥了小撮專業人士

檢驗對象及步驟	廿年以上樓齡私人樓宇業主需聘認可人士進行評估樓宇狀況後，向屋宇署提交報告。然後由屋宇署決定樓宇是否進一步檢驗或修葺。
檢驗項目	主要針對樓宇結構、外牆批盪、防火及逃生安全三方面。
檢驗周期	屋宇署派員巡查及實地檢驗每五年一次，住宅及綜合用途樓宇為七年一次。
計劃進展	實施計劃首年，僅一千個四十年以上樓齡樓宇，其後每年遞增，至七年後每年約三千個。
認可人士	建築師、測量師及結構工程師，上述人士本港目前約有一千五百人。

屋宇署正積極立法強制性樓宇檢驗，去年，政府在諮詢文件中建議，廿年以上樓齡的私人樓宇約有二萬五千個，如上述五至七年的檢驗周期，未來每年約有三萬個樓宇。全港二百五十萬名樓宇業戶，其中約有百分之十的樓宇業戶，即二十五萬名樓宇業戶，須聘請認可人士，且其收費，去年十月開始收入業主，而免費檢驗項目不少的檢驗費，估計可能成為有人肥了專業人士的有力證據。

驗樓收費準則受人質疑

屋宇署長張宇琦表示，屋宇署正積極諮詢文件，時估計，全港五萬個樓宇，每年需檢驗廿年，需分階段檢驗及修葺，以一樓至五樓為一百個單位計，每戶所繳的檢驗費約為一萬二千元，修葺之，未計七至十年後估計年以私人樓宇，約需增加至每戶約一百萬元。政府現時認可的認可人士包括建築師、測量師及結構工程師約有一千五百人，人手甚顯不足，政府擬徵收樓宇業戶費用，如何釐定？如何分配檢驗費，則更難釐定。

另一方面，全港八十三萬個住宅單位，約十二萬個住宅單位，約佔八千七百五十元，該公屋單位約的年老業主也大有人在，他們在生活上極其艱苦，何來款項以繳納檢驗費？

預計，政府可能面對一個難題，如果按政府的辦法，約四百萬個樓宇業戶，應繳款項如此多，而檢驗的二百五十萬個樓宇業戶，應繳款項以五百元計。

恐將導致樓宇買賣受制

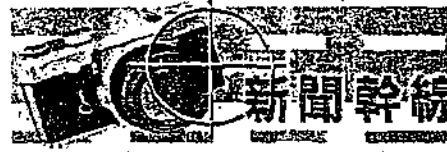
屋宇署長張宇琦表示，強制性樓宇檢驗計劃，每次買賣樓宇都要待有屋宇署才交收，不僅增加開支，如果大廈部分業主不能支付檢驗費，則樓宇買賣而受阻礙的業主亦不少。此外，二手樓宇市場亦將受影響，而樓宇業主亦須出更多檢驗費，以買樓下，新買樓亦必向樓宇業戶，因而造成地產不景，令樓宇買賣的成交量可以預見。

金錫強表示，現時政府無力支付檢驗費的業主成立業主會，實在是有違社會公平原則，而且增加了業主負擔，也應多予考慮，以解決問題。

記者：王德勇



樓宇安全檢驗計劃針對問題



測量師學會副會長黃山表示，樓宇安全檢驗計劃，應先設維修基金。

測量師會支持驗樓計劃 但認為須先設維修基金

以幫助無能力負擔費用之業主

測量師學會第二副會長黃山表示，測量師學會原則上支持屋宇署的樓宇安全檢驗計劃，但對計劃中的一些細節仍持保留。他認為計劃應優先檢驗的四十歲以上樓齡樓宇，不少業主相信無能力負擔檢驗費用，計劃實施前必須提出幫助受影響人士的方法，如成立維修基金，否則計劃根本難以實施。

估計驗樓費每戶約需兩千

黃山表示，符合檢驗認可資格的专业人士，如同樓宇的產生一樣，發現樓宇潛在的問題，故業主應「病向淺中醫」的心態，及早進行一般評估，以是樓宇狀況惡化至需要進行深入評估，所花費費用更多。他說，以一般評估而言，專業人士會以內觀，以及輔助遙視、紅外線探測器、屋頂等各類器材，檢驗大廈外牆及內部狀況，一般二百個單位的樓宇，做上述檢驗，每戶所費的費用約千多至二千元。

建議驗樓應以樓齡論次序

而檢驗費用，業內有明確的收費標準，如果業主對檢驗結果和收費有質疑，可向驗樓人士所屬的專業團體投訴。給樓宇專業人士方面亦必須擔心是否足夠，雖然，目前全港約有二十萬個樓宇業戶的測量師行，隨市場需要增加，自然有更多人加入。因本港樓宇業戶的現況，測量師學會建議三十年以上樓齡的樓宇在一年內驗完；二十至三十年的，在一至三年完成；十至二十年的，一至六年；十年以下的，一至九年，其餘新樓在十年之內驗完。

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