

# Bid to boost high rise management

A special Government committee has proposed sweeping legislative changes to improve the management of privately owned multi-storey buildings.

The committee's recommendations include the formation of owners' corporations and the setting up of district "watchdog" machinery, based in the City and New Territories Administration, with responsibility for private building management.

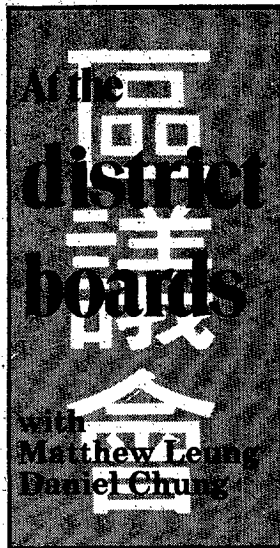
The committee, made up of representatives from various departments, has also called for the incorporation of standard clauses into all deeds of mutual covenant to facilitate the efficient running of owners corporations.

The recommendations are based on the findings of a pilot scheme in Yaumati which was commissioned early this year.

Members of the Yaumati District Board enthusiastically supported the report when it was tabled for discussion yesterday.

Yaumati District Officer, Mr Wilfred Wong, said recommendations in the report will be submitted to the Government's Standing Committee on multi-storey building management for consideration.

The report states that although building management is largely a private matter its



profound impact on the surrounding environment justifies more positive Government involvement.

A number of amendments and new provisions are proposed to the Multi-Storey Buildings (Owners Incorporation) Ordinance to encourage the formation of owners corporations. These include:

- Giving the CNTA authority to relax the management quorum requirement from 50 per cent to 20 per cent ownership shares, in acute cases.

- Allowing owners' corporations to pay land search fees in arrears — although the CNTA would pay if the

formation fails.

- Allowing those who hold official management office to claim a monthly allowance, a move aimed at providing an added incentive to office bearers.

In addition, the report says there should be a watchdog system based in the CNTA to advise and supervise owners corporations.

To man this machinery the report suggests the setting up of an enforcement team in the CNTA headquarters, headed by a senior housing manager, and also teams at district level headed by housing managers.

It recommended that they be given the authority to have legal access to owners corporations; power to enforce codes of practice; power to take possession of private property and use of reasonable force in extreme cases.

Where an owners' corporation is totally ineffective and building conditions have deteriorated beyond safety limits, it says the authorised officers can direct the owners to appoint an approved agent to take over management.

"A set of codes of practice has to be incorporated into the Multi-Storey Buildings (Owners Incorporation) Ordinance as by-laws," states the report.

"The office bearers should be reminded that any deviation of their performance from the codes is subject to warning and prosecution."

The reports recommend that deeds of mutual covenant incorporate standard clauses to facilitate the formation of owners' corporations and their efficient running.

Such clauses should, among other things, define the rights of developers and flat owners; give flat owners protection to enable them to form owners corporations; allow the management body to be sued for failure to carry out required functions and prohibit the management body to let, assign or sell the common parts, except with 100 per cent owners' consent.

It says a phased approach should be adopted to tackle problems according to priority.

"During the first year, education and operation support will be the dominant tasks. In the subsequent years, more owners' corporations will be formed and any which misbehaved will be prosecuted.

"It is hoped that the first cycle of action will be finished in the first four years and thereafter a routine inspection system can be introduced.