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ESTATE AGENTS AUTHORITY

Dear Licensees,

**Re: Building Orders**

The Estate Agents Authority (“EAA”) was informed by the Buildings Department that some statutory orders may not have been registered at the Land Registry and that the fact that premises with no statutory orders does not necessarily mean that it is free of unauthorised building works. In this regard, the EAA would like to remind all licensees to advise clients about this when providing the related property information to clients.

As stipulated in the Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation, an estate agent should provide the particulars of current ownership and subsisting encumbrances of the concerned residential property registered in the Land Registry to his/her client, including whether there is any building order and its particulars. The required information should be obtained from a land search.

In the recent revision of the Frequently Asked Questions section on the website of the Buildings Department, it is stated that some earlier statutory orders may not have been registered at the Land Registry and that premises with no statutory orders does not necessarily mean that it is free of unauthorised building works. It is also stated that prospective purchasers should conduct an inspection of the premises concerned and check the corresponding approval plans and minor works records at the Buildings Department. Professional advice should also be sought as necessary.

Considering the above, the EAA reminds all licensees that when providing the property information to prospective purchasers or tenants, especially on whether there is any building order registered, licensees should alert their clients about the abovementioned matter accordingly, advise them to check with the Buildings Department or seek professional advice if they are in doubt.



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For more information, licensees are advised to visit the website of the Buildings Department, in particular the part of Frequently Asked Questions on statutory orders, at [www.bd.gov.hk/english/services/index\\_faqD.html](http://www.bd.gov.hk/english/services/index_faqD.html)

Estate Agents Authority

6 January 2017