



### **Seminar on unauthorised building works (UBW)**

(27 July 2010) The public has shown great concern about unauthorised building works (UBWs) in properties. To deepen estate agency practitioners' understanding of properties which may have illegal structures or rearranged partitions, the Estate Agents Authority (EAA) recently organised a Continuing Professional Development (CPD) seminar on the subject, at which representatives from The Hong Kong Institute of Surveyors (HKIS) and the EAA briefed estate agency practitioners on points to note when handling such properties. The seminar was well attended by about 600 practitioners.

Speakers at the seminar included Vice Chairman of the Building Surveying Division of The HKIS Mr Vincent Ho and Legal Counsel of the EAA Mr Earnest Cheung. The EAA hopes the seminar increased estate agency practitioners' understanding of how to handle transactions of properties with illegal structures or partition rearrangements, and as a result, provide useful information to their clients and protect their clients' interests.

At the seminar, Mr Ho briefed practitioners on how to identify UBWs in residential, industrial and commercial properties, and explained the implications of UBWs and the remedial measures to take.

Mr Ho said, "With the exception of building works exempted under section 41(3) of the Buildings Ordinance, any building works undertaken without the prior approval or consent of the Building Authority may be considered UBWs. In order to protect their clients' interests, estate agency practitioners must verify carefully whether the properties concerned have UBWs. For instance, they can conduct a land search at the Land Registry,



compare the actual properties with the floor plans approved by the Buildings Department, and/or seek advice from professional bodies.”

Mr Cheung also spoke on the legal and practice issues that estate agents should pay attention to when handling transactions of properties which may have UBWs. He said, “UBWs may affect the safety of a property and may render the title defective. Hence, when handling properties which may have UBWs, estate agency practitioners should explain to their clients the risks involved in buying or selling such properties, and suggest they seek legal advice.”

The talk was the third in a series organised by the EAA this year. The EAA will continue to invite different speakers to speak on various estate agency-related topics.



The Vice Chairman of Building Surveying Division, the Hong Kong Institute of Surveyors, (right) Mr Vincent Ho, and the Legal Counsel of the EAA, Mr Earnest Cheung brief attendees on points to note when handling properties with illegal structures or changes in partitions.



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