

Synopsis of Cases under Formal Investigation by The Ombudsman

Cases brought forward from the 2nd quarter 1999

Delay in handling the application for addition to a PRH tenancy
L/M (1350) in HD(R) 1/125 - OMB 1999/0071

The complainant (a registered tenant of two PRH flats in Tai Wo Hau Estate), alleged that the Department had delayed in handling her application for addition of her daughter-in-law and two grandsons to the tenancy.

The complainant's application for addition (made in 1995) could not be processed until the occupancy position of the subject flats was confirmed. Since the complainant had not surrendered one of her flats upon the successful purchase of an HOS flat by 'green' form by one of her sons in 1993, her application for addition was rendered unable to proceed.

The Department had issued a Notice-to-Quit to the complainant on 31 May 1999 and the tenancy agreement was terminated on 30 June 1999. The complainant lodged an appeal to the Appeal Panel and the case was heard on 19 October 1999.

The complaint was originally referred by The Ombudsman to the Department for enquiries but was re-classified for formal investigation in April 1999. Investigation Report issued by The Ombudsman in August 1999 concluded the case as substantiated. The Ombudsman considered that the Department had failed to adhere to its performance standards of processing applications for addition within two weeks, and that it had also failed to take decisive and appropriate actions in recovering one of the complainant's flats. The Ombudsman recommended that the Department should consider reviewing the procedures in handling applications for addition.

A response to The Ombudsman was furnished on 7 September 1999 commenting that procedures in handling applications for addition/deletion have been clearly stated in the Management Instruction Manual, and the Department will continue to provide quality services in accordance with the performance pledge.

Annex C
Table 3 (P. 2)