

## Frequently Asked Questions

### FAQs

#### **Sale of Green Form Subsidised Home Ownership Scheme Flats 2020/21 (including Sale of Recovered Flats from Estates under Tenants Purchase Scheme)**

##### **1. When will HA accept applications?**

HA will invite applications from 28 May 2021 to 10 June 2021. The closing time is 7 p.m. on 10 June 2021\*. Applications submitted before or after the application period will not be accepted. For submission by post, the submission date is determined by the postmark. Applications which are delivered belatedly or returned to the applicants due to insufficient postage will not be processed. Online applicants must complete the application and payment of application fee before the closing time. The closing time will be in accordance with the Application System.

\* The closing time is applicable to Green Form Subsidised Home Ownership Scheme Sales Unit and online application. The closing time of other form receiving offices shall follow their respective office hours.

##### **2. How can applicant submit the application?**

Applicants may choose either one of the following ways to submit application:

- Online application ;
- By hand ; or
- By post

Attention:

- **Online application**: Applicants must complete the application and payment of application fee before the closing time (7 pm on 10 June 2021). The closing time is subject to the timer of the Application System of the Hong Kong Housing Authority (HA). To ensure successful submission before the deadline, applicants are advised to submit the application **as early as possible**. After submitting an online application, applicant and his/her family member(s) (if any) listed in the application form is/are necessary to sign on the application form. Staff of the respective Estate Office/District Tenancy Management Offices/Rental Estate Office will contact the applicant upon receipt of their online application for the arrangement.

- **By hand**: Drop Boxes will be provided at the Green Form Subsidised Home Ownership scheme Sales Unit (Address: Level 1, Pioneer Place, 33 Hoi Yuen Road, Kwun Tong). The closing time is 7p.m. on 10 June 2021. The closing time of other form receiving offices shall follow their respective office hours.
- **By post**: The submission date is determined by the postmark. Applications which are delivered belatedly or returned to the applicants due to insufficient postage will not be processed.

### 3. Is it necessary to pay any application fees?

Applicant of this sale exercise is required to pay a one-off application fee of **HK\$250**. The application fee of HK\$250 should be paid by crossed cheque (the cheque can be issued by the applicant or other persons) or cashier's order made payable to 'Hong Kong Housing Authority' at the time of submission of application form. Other mean of payment method including payment at convenience store, post-dated cheque, cash, gift cheque, postal order and electronic cheques will not be accepted. Application fee paid is non-refundable and non-transferrable. If the cheque or cashier's order is dishonoured for whatever reasons, the application will be cancelled automatically.

### 4. How to pay the application fee?

- For online application, applicants are required to pay the application fee by a valid credit card (VISA, Mastercard, JCB or UnionPay銀聯) of the applicant or another person online.
- For application by post/by hand, applicants are required to pay the application fee by a crossed cheque (the cheque can be issued by applicants or other persons) or cashier's order. The cheque or cashier's order should be made payable to "HONG KONG HOUSING AUTHORITY". The HKIC number and contact telephone number of the applicants should be written at the back of the cheque or cashier's order.

Other payment method such as: payment at convenience store, post-dated cheque, cash, gift cheque, postal order and electronic cheques will not be accepted. Application fee paid is non-refundable and non-transferrable. If the cheque or cashier's order is dishonoured for whatever reasons, the application will be cancelled automatically.

**5. May applicant and/ or other family member(s) listed in the application form apply simultaneously for other subsidised housing schemes?**

The applicant and/ or other family member(s) listed in the application form may do so provided that they meet the eligibility criteria of other schemes. If more than one application is successful, they can only opt for one, and have to cancel all other applications.

**6. Do I need to file new application if I have already submitted application in HOS 2020?**

Valid Green Form (GF) applications will be carried over to GSH 2020/21 provided that they meet the eligibility criteria of GSH 2020/21. The applicants do not need to submit a separate application and pay the application fee for GSH 2020/21. The HA will notify the applicants in writing that their applications have been carried over to GSH 2020/21 and their application numbers before the application period (Note: For online application, such notification will be sent to the applicants by emails). If the applicants submit another GSH 2020/21 application, it will be treated as a duplication of application. Any duplicate applications will render all applications null and void, and the application fee paid is non-refundable and non-transferrable under any circumstances.

Applications rejected under HOS 2020 will not be carried over to GSH 2020/21. The HA will notify the applicants in writing before the application period. If the applicants would like to apply for GSH 2020/21 and meet the eligibility criteria, they should submit a new application and pay the application fee during the application period.

**7. What is ‘Priority Scheme for Families with Elderly Members’?**

To strengthen the support for families with elderly member(s), families consisting of two persons or above, with at least one elderly member aged 60 or above will be accorded priority in flat selection if they join the ‘Priority Scheme for Families with Elderly Members’. They have to comply with the following requirements:

- (i) The elderly member must have reached the age of 60 on the closing date of application (i.e. 10 June 2021) and must be a family member listed in the PRH tenancy/ Rental Estate tenancy/ fixed-term licence/ GFC - Applicable to Sale

of Green Form Subsidised Home Ownership Scheme Flats Only;

- (ii) At least one elderly member must become an owner or a joint owner of the purchased flat. He/ She should have the mental capacity (if necessary, the Hong Kong Housing Authority (HA) may require the elderly member to provide a recent medical proof) to understand the nature and effect of all application documents relating to this sale exercise and legal documents, such as Agreement for Sale and Purchase(ASP) / Deed of Assignment and so on, which he/ she signs;
- (iii) If the elderly member is married, his/ her spouse must also be included in the same application unless supporting documents are submitted to prove that they are legally divorced, or the spouse does not have the right to land in Hong Kong or are deceased. To prove that the spouses are divorced, the divorcee must present the certificate of making **Decree Nisi Absolute (Divorce)** (Form 6 or Form 7B), the date of divorce must be on or before the closing date of application (i.e. 10 June 2021), otherwise their spouses must be included in the same application form. Failure to do so may render the HA to cancel all the related applications. **If the applications are cancelled, the application fee paid will not be refunded and cannot be transferred;**
- (iv) The applicant must sign a joint declaration with the elderly member at the time of signing the ASP, undertaking that they are willing to live together in the purchased flat. At least one adult family member listed in Part I of the application form must live in the purchased flat with the elderly member;
- (v) Except for permanent departure, death or other compassionate reasons recommended by the Director of Social Welfare, the name of the elderly member cannot be deleted from the record of owners kept by the Housing Department (HD) in future; and
- (vi) Joining the scheme after the close of application is not allowed.

## **8. What is duplicated application?**

- Each person (regardless of applicant or family member(s) can only be listed in one application form of GSH 2020/21 (either online/paper application). Otherwise will be regarded as duplicate applications.
- Any application(s) with applicant and family member(s) listed in more than one application will be considered as duplication of application. If a married couple submits separate applications, the applications will also be regarded as duplication of application.

- Applicants can only choose either one of the following to submit the application: by online application, by hand or by post. If an online application is successfully submitted, the applicant and/or the family member(s) listed in the application form should not submit the paper application again by post or by hand or vice versa.
- Any duplicate applications, no matter online/paper application will render all applications null and void, and, application fee paid is non-refundable and non-transferrable under any circumstances.

**9. Where should the paper application forms be submitted after completion?**

Applicants should submit (i) the original copy of the completed application form; (ii) a crossed cheque or cashier’s order for application fee of HK\$250 made payable to “HONG KONG HOUSING AUTHORITY” (Please write down the HKIC number and contact telephone number of the applicant at the back of the cheque/ cashier’s order. Only crossed cheque or cashier’s order is acceptable. Other payment means such as payment at convenience store, post-dated cheque, cash, gift cheque, postal order and electronic cheques will not be accepted.); and (iii) the original copy of a “GFC - Applicable to Sale of Green Form Subsidised Home Ownership Scheme Flats Only” or LA (if applicable) in the manner as specified below.

(a) Applicants who are residing in PRH units / Block 10 and 11 of Shek Lei Interim Housing with verified eligibility for PRH flats and holding a valid “GFC - Applicable to Sale of Green Form Subsidised Home Ownership Scheme Flats Only” issued by the HD	They are required to submit the completed application forms to their respective Estate Offices / District Tenancy Management Offices during office hours for verification of eligibility. The Estate Offices/ District Tenancy Management Offices will forward the verified and endorsed application forms, together with the crossed cheques or cashier’s orders for payment of the application fee, to the GSH Sales Unit.
(b) Applicants who are residing in Rental Estates of the HS	They are required to submit the completed application forms to their respective Rental Estate Offices during office hours for verification of eligibility. The Estate Offices will forward the verified and endorsed application forms, together with the crossed cheques or cashier’s orders for payment of the application fee, to the GSH Sales Unit.

<p>(c) Applicants holding valid “GFCs - Applicable to Sale of Green Form Subsidised Home Ownership Scheme Flats Only” (Not including the applicants living in Block 10 and 11 of Shek Lei Interim Housing)</p>	<p>The completed application forms and a crossed cheque or cashier’s order for payment of the application fee, together with the original copy of the “GFC - Applicable to Sale of Green Form Subsidised Home Ownership Scheme Flats Only”, should be submitted by post or by hand during the above specified office hours to the GSH Sales Unit.</p> <p>[Note: Proofs for income, asset value and family member’s relationship are NOT required at the time of submitting this application form. Please keep details of your income and breakdown of assets to substantiate your declared income and assets for the HA's further vetting in future if required. The HA will, according to the random order generated by computer from ballot result, notify the applicant and family member(s) listed in application form who have higher priority in writing to submit an “Income and Asset Declaration Form” and relevant supporting documents within a specified period of time for detailed vetting.]</p>
<p>(d) Staff of the HD EA Grade holding a valid LA issued by the HD</p>	<p>The completed application forms, together with a crossed cheque or cashier’s order for payment of the application fee, and the original copy of the LA, should be submitted during office hours to the Estate Offices/ District Tenancy Management Offices which manage their respective departmental quarters.</p>
<p>(e) RAES recipients</p>	<p>The completed application forms, together with a crossed cheque or cashier’s order for payment of the application fee, should be submitted during office hours to the Rent Allowance for the Elderly Scheme dedicated team at Applications Sub-section, Podium Level 2, Hong Kong Housing Authority Customer Service Centre, 3 Wang Tau Hom South Road, Kowloon.</p>

Applicants can only submit application through either one of the above ways. If an online application was successfully submitted, the applicant and/or his/her family member(s) listed in the application form should not submit application again by post or by hand, or vice versa. Each person can only be listed in one application form of this sale exercise (either online application or paper application), otherwise it will be regarded as a duplication of application. Any duplicate applications, no matter online/ paper application will render all applications null and void, and the application fee paid is non-refundable and non-transferrable under any circumstances.

## **10. How to apply for change in particulars of the submitted information?**

Any changes in the particulars [including but not limited to income, net asset value and ownership of domestic property (not applicable to PRH tenants)] of the applicant and/or any family members listed in the application form or the family circumstances (including but not limited to marital status) should be reported in writing to the GSH Sales Unit of the HA (Address: 1/F, Pioneer Place, 33 Hoi Yuen Road, Kwun Tong, Kowloon. For ease of identification, please mark “GSH 2020/21” on the envelope) and clearly list out the changes required with supporting documents so that the HA can reassess the eligibility of the application and the priority for flat selection. Application number should be quoted in the correspondence. Should there be any changes in the personal particulars or family circumstances which render them ineligible, the application will be cancelled and the HA and the HD shall not be responsible for any loss or claims arising therefrom. The application fees paid will not be refunded and cannot be transferred to other parties.

Request for addition or deletion of member(s) listed in the application form will not be accepted, except for addition of family member(s) due to birth, marriage or the applicant’s spouse/ child(ren) aged under 18 being granted permission to stay in Hong Kong; or for deletion of family member(s) due to death, divorce or having successfully acquired a flat under other subsidised housing schemes and become an owner or member of the acquired flat. If the applicant household is a sitting PRH/ Rental Estate household, prior approval for addition/deletion of family members has to be obtained from the respective estate office/ District Tenancy Management Office/ Rental Estate office before submission of an application to the GSH Sales Unit of the HA in accordance with Paragraph above. Should the request for addition of family member(s) be approved, the application category will still be based on the position as at the closing date of application. Should the request for deletion of member be approved which results in a change of the application category from family applicant to one-person applicant, assessment of income and asset (if applicable) will be based on the limits for one-person applicant. The HA will reassess the eligibility and priority for flat selection based on the latest information of the applicant.

## **11. What is Quota Allocation and Priority in Flat Selection?**

The HA sets a quota of 800 GSH flats for family applicants applying under the “Priority Scheme for Families with Elderly Members” and also sets aside 300 GSH flats for one-person applicants. The quotas set by HA are applicable to GSH flats only. When the quota of GSH flats for a relevant application category is exhausted, the HA will invite applicants under the next application category for flat selection (except other one-person applicants). Applicants can choose to buy a GSH flat or recovered TPS flat, if any, during flat selection.

Once the quota set for the “Priority Scheme for Families with Elderly Members” category (i.e. 800 GSH flats) is exhausted, applicants under "Other Family Applicants" category will be invited for flat selection. If families applying under the “Priority Scheme for Families with Elderly Members” category fail to obtain a quota, they would still have the opportunity to purchase under the “Other Family Applicants” category. If the 800 quota of GSH flats has not been fully consumed after all family applicants applying under “Priority Scheme for Families with Elderly Members” category have been invited for flat selection, any unused quota will be carried forward to the “Other Family Applicants” category. If a family applicant under the “Priority Scheme for Families with Elderly Members” category has successfully selected and signed ASP for a GSH flat, the relevant quota will be treated as consumed. Any GSH quota released due to later rescission of ASP from this application category will not be allocated back to another applicant under the “Priority Scheme for Families with Elderly Members” category.

When there are only 300 GSH flats remaining for selection or when the list of “Other Family Applicants” category is exhausted (whichever is earlier), one-person applicants will be invited for flat selection and they are allowed to buy any remaining flats, irrespective of flat size. In case there are remaining flats after the list of one-person applicants is exhausted, all the remaining flats will be allocated back to the family applicants who have not been invited for flat selection under the “Other Family Applicants” category. If a one-person applicant has successfully selected and signed ASP for a GSH flat, the relevant reserved GSH flat will be treated as taken up. Any GSH flat released due to later rescission of ASP from this application category will not be allocated back to one-person applicant category. The rescinded flat will be allocated back to applicants under “Other Family Applicants” category for selection according to their priority order.

Upon completion of the relevant procedures for cancellation of ASP by the HA, the rescinded GSH flat or recovered TPS flat will be released for selection by applicants on the next flat selection day according to the order of flat selection priority.

The flat selection order of different categories of applicants is as follows:

- (1) Family applicants living in Blocks 9, 10, 11 and 13 of Pak Tin Estate who are affected by HA's announced clearance programme(s) and where the target clearance date(s) is/are after the launch date of this sale exercise. (Any applicants allocated the flats of Block 13 in Pak Tin Estate under Special Letting Arrangement for Vacant Flats in 2018 will not be given absolute priority in flat selection.)
- (2) Eligible Family applicants living in Blocks 10 and 11 of Shek Lei Interim Housing who are affected by HA's Interim Housing (IH) clearance programme(s) and where the target clearance date(s) is/are after the launch date of this sale exercise. (For applicants living in Block 10 and 11 of Shek Lei Interim Housing with verified eligibility for PRH flats and holding a valid "GFCs - Applicable to Sale of Green Form Subsidised Home Ownership Scheme Flats Only" issued by the HD only.)
- (3) Family applicants applying under the 'Priority Scheme for Families with Elderly Members'
- (4) Other family applicants
- (5) One-person applicants living in Blocks 9, 10, 11 and 13 of Pak Tin Estate who are affected by HA's announced clearance programme(s) and where the target clearance date(s) is/are after the launch date of this sale exercise. (Any applicants allocated the flats of Block 13 in Pak Tin Estate under Special Letting Arrangement for Vacant Flats in 2018 will not be given absolute priority in flat selection.)
- (6) Eligible one-person applicants living in Blocks 10 and 11 of Shek Lei Interim Housing who are affected by HA's Interim Housing (IH) clearance programme(s) and where the target clearance date(s) is/are after the launch date of this sale exercise. (For applicants living in Block 10 and 11 of Shek Lei Interim Housing with verified eligibility for PRH flats and holding a valid "GFCs - Applicable to Sale of Green Form Subsidised Home Ownership Scheme Flats Only" issued by the HD only.)
- (7) Other one-person applicants

All family applicants and one-person applicants will be allocated an ordinary order

of priority All family applicants and one-person applicants will be allocated an ordinary order of priority for flat selection randomly generated by computer according to the ballot result. Family applicants who join the “Priority Scheme for Families with Elderly Members” will be allocated an additional order of priority for flat selection randomly generated by computer according to the ballot result, i.e. a total of two orders of priority will be allocated to them.

The HA will invite eligible applicants of different categories for flat selection according to the order of priority as stated above. Family or one-person applicants living in PRH estates affected by the HA’s announced clearance programme or the HA’s announced Interim Housing clearance programme are allowed to select flats before family or one-person applicants respectively.

If family applicants who join the “Priority Scheme for Families with Elderly Members” fail to purchase a flat under the quota of that application category, the HA will invite them for flat selection again when their order of priority under the “Other Family” turns up, provided that flats are available for selection under that category.

Since Flat Selection Notification is sent out before the flat selection date, the HA and the HD do not guarantee that flats will be available for selection by the time the applicants show up at the appointed time. If the allocated quotas/flats for their application category have been exhausted, the flat selection appointment arranged for them will be withheld. Please pay attention to the latest sale status.

Flat allocation and priority for flat selection are subject to relevant sales arrangements issued by the HA from time to time. In case of dispute, the HA’s decision shall be final.

## **12. How do eligible applicants choose their flats?**

Under normal circumstances, the HA, after detailed eligibility vetting, will invite eligible applicants in writing to the GSH Sales Unit at an appointed time to select their flats and complete all the purchasing formalities according to their priority for flat selection. If required, the HA may also arrange applicants to undergo eligibility vetting on their appointed day of flat selection. In the latter situation, the HA will notify the applicants in advance when sending out the flat selection invitation letters. The applicants must continue to meet all eligibility criteria when

they go through the purchasing formalities, or else their applications will be cancelled and the flat selected by them will be taken back and the application fees paid will not be refunded. When going through the flat purchasing formalities, applicants are required to sign a declaration declaring that all the information provided in the application form is true and correct, and report any changes (including but not limited to income, net asset value, ownership of domestic property, marital status and family composition) which may have occurred since the date of application (if applicable).

Flat Selection Notifications will be issued according to the application category and the order of priority. Applicants who fail to keep their appointment will lose their eligibility for flat selection and their flat selection priority will be taken up by others lower in the queue. The application fees paid will not be refunded. If an applicant needs to change his/her appointment (the appointment can only be postponed but cannot be advanced), he/she has to seek the HA's GSH Sales Unit prior approval in writing. Change of appointment can only be effected upon approval of the HA, the applicant's order of priority for flat selection will be deferred accordingly. The HA and the HD will not guarantee that there will be available quota or flat for selection under the category that the applicant belongs to after change of the appointment.

During individual flat selection sessions on the flat selection days, after registration of all applicants (including the elderly member(s) aged 60 or above of families joining the "Priority Scheme for Families with Elderly Members"), the attending applicants will be listed according to their flat selection priority. They will then be arranged to enter the flat selection room accordingly. Applicants should take note of the latest information on flats available for selection displayed at the screens of the GSH Sales Unit. For all applicants who have been arranged to enter the flat selection room, selection of flat is on "first select first served" basis (subject to acknowledgement by computer). The selected flat, once confirmed by applicants, cannot be changed.

The applicant and the joint owner (if any) should have the mental capacity (if necessary, the HA may require the concerned person(s) to provide a recent medical proof) to understand the nature and effect of all application documents relating to this sale exercise and legal documents, such as ASP / Deed of Assignment and so on, which he/ she signs.

If an applicant or any family member who intend to become a joint owner (including the elderly member) is not able to turn up in person to complete the relevant formalities, he/she is required to obtain prior written approval from the GSH Sales Unit and sign a valid Power of Attorney at a solicitor firm to authorise a family member aged 18 or above listed on the GSH 2020/21 application form to complete the purchase on his/her behalf. If the applicant is the only person listed in the application form, he/she may authorise relative to complete the purchase on his/her behalf, provided that the authorised person is aged 18 or above and is holding a valid Power of Attorney. Applicants shall submit a written application to GSH Sales Unit as early as possible before the date of flat selection so that the purchase formalities can be completed without delay due to the time required to process relevant documents. Applicants need to bear and be responsible for all the fees required for obtaining the power of attorney.

If an applicant turns up at the GSH Sales Unit at the appointed time but fails to purchase a flat while stock still lasts, he/she will be deemed as giving up his/ her chance of flat selection. The applicant will not be given another chance for flat selection again under the same application category. The application fee paid will not be refunded.

After a flat has been selected, normally an applicant has to sign the ASP within the same day. Should an applicant who has selected a flat fails to turn up at the GSH Sales Unit to sign the relevant ASP within the specified time, he/she will be deemed as giving up the selected flat. The flat shall be taken back for selection by other applicants on the next flat selection day according to their priority. The applicant concerned will not be given another chance for flat selection under the same application category. The application fee paid will not be refunded.

After the execution of the ASP, if the purchaser is proved to be ineligible, the ASP already signed will be cancelled and all fees and charges paid (including deposit) in respect of the application/ purchase will not be refunded.

During the flat selection period, upon completion of the relevant procedures for cancellation of ASP by the HA, the rescinded flat will be released for selection by applicants on the next flat selection day according to the order of flat selection priority.

Arrangement of flat selection is subject to relevant sales arrangement issued by the

HA from time to time. In case of dispute, the HA's decision shall be final.

**13. Is there any site visit to the recovered TPS flats before flat selection?**

No flat viewing for recovered TPS flats will be arranged by the HA for this sale exercise. The HA will provide the sales leaflet and photos of the interior of samples of recovered TPS flats during the application period; and sales pamphlets as well as photos and video clips of the interior of all the recovered TPS flats for sale during the flat selection period at the office of the GSH Sales Unit and on HA/HD's designated websites ([www.housingauthority.gov.hk/mini-site/tps/](http://www.housingauthority.gov.hk/mini-site/tps/)).

**14. Can I apply for purchase of HOS flats by using white form after I purchase recovered TPS flats?**

Successful flat purchasers and their spouses (including the spouses of purchasers who were unmarried at the time) under this sale exercise will be debarred from all subsidised housing schemes administered by the HA, the HS or the URA in future, including applying for purchase of HOS flats by using White Form.

The arrangement that owners or authorised persons of TPS flats are allowed to apply for purchase of HOS flats by using White Form within ten years from the date of assignment only applies to owners (and authorised persons) who obtained ownership of the TPS flats by virtue of their previous status as sitting tenants of the relevant TPS flats, and is not open to those owners of TPS flats, the ownership of which were obtained by virtue of their Green Form status through previous restricted sale exercises of vacant TPS flats or resale in HOS Secondary Market or open market. Purchasers of recovered TPS flats in GSH 2020/21 will similarly not eligible to apply for purchase of HOS flats by using White Form.

**15. Is there any refurbishment works carry out in the recovered TPS flats?**

After recovery of TPS flats, the HA will carry out refurbishment works to bring them up to a reasonable standard which commensurates with that of the flats that are used for letting purpose, before hand over to purchasers. The recovered TPS flats will be sold on an "as-is" basis and in the physical state and condition as they stand, no warranty or representation whatsoever has been given or is made by the HA regarding the physical state and condition thereof or the quality or fitness of the fittings and finishes or the installations and appliances (if any) incorporated

thereof and the purchaser shall make no claim whatsoever on the same. Where the internal fittings relating to the water supply system, drainage system, electricity supply system and/or communal aerial broadcasting distribution system (except the communal facilities located in the flats) are found not functioning after the purchaser's taking over of the flats, the purchaser may notify the HA in writing within seven days from the date of handover, and the HA will take follow up actions as necessary and appropriate.

**16. How can I know the background information of each TPS estate such as occupation date and building type etc.?**

Information on the TPS estates such as location plans, land documents (Government Leases, Deeds of Mutual Covenant etc.) will be available on HA/HD's designated websites ([www.housingauthority.gov.hk/mini-site/tps/](http://www.housingauthority.gov.hk/mini-site/tps/)). The HA will provide the sales leaflet and photos of the interior of samples of recovered TPS flats during the application period; and sales pamphlets as well as photos and video clips of the interior of all the recovered TPS flats for sale during the flat selection period at the office of the GSH Sales Unit and on above HA/HD's designated websites.

**17. What kind of ownership is allowed?**

The applicant must become the owner of the flat purchased. The applicant, however, may choose to share the ownership with one of the adult family members listed in the application form provided that the ownership is in the form of joint tenancy not inheritable by a third party. This family member is required to turn up in person with the applicant at the GSH Sales Unit for completion of necessary formalities.

For applicants who opt to join the 'Priority Scheme for Families with Elderly Members', regardless of whether they choose to buy a GSH flat or a recovered TPS flat, at least one elderly member with age over 60 must be the owner or a joint owner of the purchased flat and no more than three persons are allowed to be joint owners of the flat. The elderly member and the family member (if applicable) who intend to become the owner or a joint owner of the purchased flat are required to turn up in person at the GSH Sales Unit together with the applicant for completion of relevant formalities.

If an applicant or any family member who intend to become a joint owner (including the elderly member) is not able to turn up in person to complete the relevant formalities, he/she is required to obtain prior written approval from the GSH Sales Unit and sign a valid Power of Attorney at a solicitor firm to authorise a family member aged 18 or above listed on the GSH 2020/21 application form to complete the purchase on his/her behalf. If the applicant is the only person listed in the application form, he/she may authorise relative to complete the purchase on his/her behalf, provided that the authorised person is aged 18 or above and is holding a valid Power of Attorney. Applicants need to bear and be responsible for all the fees required for obtaining the power of attorney.

### **18. How to pay the purchase price and Obtaining Legal Title to the Flats?**

Before the signing of the ASP, all purchasers are urged to appoint a firm of solicitors of their choice to advise them on matters relating to the purchase of a GSH flat/recovered TPS flat under the GSH 2020/21, such as alienation restrictions, stamp duties, etc., and to act for them in relation to their purchase of the flat. The firm of solicitors will be able to give advice to them at every stage of the purchase. Although the purchasers will sign the ASP before the staff of the HA, the staff will only interpret the contents of the ASP to the purchasers and attest their signing of the ASP. The staff will not give the purchasers any legal advice on the ASP or any other matters in connection with the transaction.

The purchaser of a GSH flat must, at the time of signing the ASP at the GSH Sales Unit, bring along with him/ her a cashier's order in the sum of HK\$41,000 (The amount of cashier's order payable is just a provisional figures for reference by applicants. Please refer to the "Flat Selection Letter" for the finalized amount.) made payable to "HONG KONG HOUSING AUTHORITY" for paying the deposit (not less than 5% of the purchase price). If the amount of such cashier's order is less than 5% of the purchase price, any outstanding balance should be paid by a personal cheque upon signing of the ASP (payment in cash or company cheque will not be accepted).

The purchaser of a recovered TPS flat must, at the time of signing the ASP at the GSH Sales Unit, bring along with him/ her a cashier's order in the sum of HK\$7,000 (The amount of cashier's order payable is just a provisional figure for applicants' reference. Please refer to the "Flat Selection Letter" for the finalized amount.) made payable to "HONG KONG HOUSING AUTHORITY" for paying

the deposit (not less than 5% of the purchase price). If the amount of such cashier's order is less than 5% of the purchase price, any outstanding balance should be paid by a personal cheque upon signing of the ASP (payment in cash or company cheque will not be accepted).

For uncompleted building(s), after the Occupation Permit for the building(s) concerned has been issued, the HA or HA's appointed solicitors will notify the purchasers in writing to complete the remaining conveyancing formalities and pay the balance of the purchase price within the specified period of time. For completed building(s) (e.g. recovered TPS flats), the HA or HA's appointed solicitors shall within 28 days after the date of signing the ASP notify the purchasers in writing in relation to the completion of sale and purchase. The purchasers shall complete the remaining conveyancing formalities and pay the balance of the purchase price within 14 days after the date of such notice or such other date as specified in the notice.

If the price of the GSH flat/recovered TPS flat is over one million dollars, purchasers must appoint a separate firm of solicitors of their choice to act for them in relation to the transaction. Such firm of solicitors should not be the firm of solicitors appointed by the HA for the concerned flat. If the price of the GSH flat/recovered TPS flat does not exceed one million dollars, purchasers may either appoint a separate firm of solicitors of their choice to act for them in relation to the transaction; or appoint the HA's appointed solicitors to act for them in relation to the transaction.

If the purchasers appoint a separate firm of solicitors to act for them in relation to the transaction, that firm of solicitors will be able to give independent advice, such as alienation restrictions, stamp duties, etc. to them at every stage of the purchase. The purchasers have to pay the legal costs and expenses of their own solicitors. Purchasers are required to notify the HA the name and contact details of their appointed solicitors within reasonable time before completion or other time to be specified by the HA. If the purchasers appoint the HA's appointed solicitors to act for them in relation to the transaction, the solicitors will be acting jointly for the HA and the purchasers. For this type of joint representation cases, purchasers are required to pay all legal costs and expenses of the solicitors for the completion of the sale and purchase.

## **19. What are the fees and charges to be paid upon purchasing a GSH flat?**

The purchaser, when completing the formalities of purchasing a flat, is required to pay fees including but not limited to the following:

- (a) All stamp duties payable (The HA is not responsible for stamp duties related matters. Purchasers may call the Inland Revenue Department at 2594 3202 or browse its website ([www.ird.gov.hk/eng/faq/index.htm](http://www.ird.gov.hk/eng/faq/index.htm)) for details);
- (b) Registration fees for registration of the deeds in the Land Registry;
- (c) Legal costs:
  - (i) If the purchaser appoints a separate firm of solicitors of his/her choice to act for him/her in relation to the sale and purchase of the GSH flat, he/ she has to pay the legal costs and expenses of his/ her solicitors;
  - (ii) If the price of the GSH flat does not exceed one million dollars, the purchaser can appoint the HA's appointed solicitors to act for him/her for the completion of sale and purchase of the GSH flat. For this type of joint representation cases, the purchaser has to pay the solicitor the legal costs and expenses to be agreed between the purchaser and the solicitor. (Note: The HA's appointed solicitors for GSH flat will be acting jointly for the HA and the purchasers under such arrangement. If a conflict of interest arises between the HA and the purchaser, the HA's appointed solicitors may not be able to protect the purchaser's interests);
- (d) The fees for certified copies of the deeds (including the Government lease, the Deed of Mutual Covenant and other relevant title deeds);
- (e) In the event of the purchaser failing to complete the transaction by the specified date in accordance with the ASP, the HA shall, without prejudice to any other remedy, be entitled to demand and receive from the purchaser payment of interest on the balance of the purchase price at the rate of 2% per annum above the Best Lending Rate as announced by the Hongkong and Shanghai Banking Corporation Limited;
- (f) Debris removal fee (if any), decoration deposit (if any) and special fund (if any); and
- (g) Management fee, management fee deposit and the levy payable (if any) and penalty (if any) as prescribed by the Property Management Services Authority.

If the purchaser requires a mortgage loan to finance the purchase of the flat, he/ she is also required to pay:

- (a) The registration fee for registration of the mortgage deed in the Land Registry; and
- (b) Legal costs of the solicitors acting for the bank or the financial institution

offering the loan for the mortgage arrangements. (Note: If the bank or the financial institution appoints also the HA's appointed solicitors to handle the mortgage arrangements, the solicitors will charge the purchaser a separate fee.)

**20. What are the fees and charges to be paid upon purchasing a recovered TPS flat?**

The purchaser, when completing the formalities of purchasing a flat, is required to pay fees including but not limited to the following:

- (a) All stamp duties payable (The HA is not responsible for stamp duties related matters. Purchasers may call the Inland Revenue Department at 2594 3202 or browse its website ([www.ird.gov.hk/eng/faq/index.htm](http://www.ird.gov.hk/eng/faq/index.htm)) for details);
- (b) Registration fees for registration of the deeds in the Land Registry;
- (c) Legal costs:
  - (i) If the purchaser appoints a separate firm of solicitors of his/her choice to act for him/her in relation to the sale and purchase of the recovered TPS flat, he/ she has to pay the legal costs and expenses of his/ her solicitors;
  - (ii) If the price of the recovered TPS flat does not exceed one million dollars, the purchaser can appoint the HA's appointed solicitors to act for him/her for the completion of sale and purchase of the recovered TPS flat. For this type of joint representation cases, the purchaser will pay the specified solicitor fee for the concerned TPS estate and other legal costs and expenses. (Note: The HA's appointed solicitors for recovered TPS flat will be acting jointly for the HA and the purchasers under such arrangement. If a conflict of interest arises between the HA and the purchaser, the HA's appointed solicitors may not be able to protect the purchaser's interests);
- (d) The fees for certified copies of the deeds (including the Government lease, the Deed of Mutual Covenant and other relevant title deeds);
- (e) In the event of the purchaser failing to complete the transaction by the specified date in accordance with the ASP, the HA shall, without prejudice to any other remedy, be entitled to demand and receive from the purchaser payment of interest on the balance of the purchase price at the rate of 2% per annum above the Best Lending Rate as announced by the Hongkong and Shanghai Banking Corporation Limited;
- (f) Debris removal fee (if any), decoration deposit (if any) and special fund (if any); and
- (g) Management fee, management fee deposit and the levy payable (if any) and penalty (if any) as prescribed by the Property Management Services Authority.

If the purchaser requires a mortgage loan to finance the purchase of the flat, he/ she is also required to pay:

- (a) The registration fee for registration of the mortgage deed in the Land Registry; and
- (b) Legal costs of the solicitors acting for the bank or the financial institution offering the loan for the mortgage arrangements. (Note: If the bank or the financial institution appoints also the HA's appointed solicitors to handle the mortgage arrangements, the solicitors will charge the purchaser a separate fee.)

## **21. What about mortgage arrangements?**

Purchasers should assess their own financial capability and eligibility for mortgage (if applicable) before entering into purchasing formalities. After signing the ASP, a purchaser requiring a mortgage loan to pay the balance of the purchase price should apply to a bank or financial institution on the approved list, which is available from the GSH Sales Unit, for a mortgage loan on special concessionary terms specified by the HA. The conditions are subject to final approval by the bank or financial institution concerned. The participating banks or financial institutions on the list have entered into a Deed of Guarantee with the HA. Some of the mortgage terms are as follows:

- (a) Loan amount not exceeding the balance of the purchase price after deposit;
- (b) Maximum repayment period of 25 years; and
- (c) Interest rate at a maximum of the Best Lending Rate quoted by the bank or financial institution concerned minus 0.5% per annum.

If the purchaser wishes to mortgage with other bank or financial institution which has not entered into a Deed of Guarantee with the HA, the purchaser is required to obtain prior approval from the Director of Housing for such mortgage arrangement. The purchaser is reminded to allow sufficient time to apply to HD for processing of the relevant approval in order to avoid any possible delay in the mortgage arrangement and an administrative fee is required for the concerned application. Please contact the bank or financial institution concerned for enquiries on mortgage arrangement.

A purchaser may also obtain a loan to cover the balance of the purchase price under a mortgage from his/ her employer who offers a bona fide staff housing mortgage loan scheme provided that prior approval from the Director of Housing is obtained.

Except with the approval of the Director of Housing, the purchaser shall not secure any other form of mortgage financing or refinancing, including increasing the amount of the mortgage loan. For details, please contact the GSH Sales Unit.

If the purchaser, who has mortgaged the flat purchased to a participating bank or financial institution that has entered into a Deed of Guarantee with the HA, defaults on mortgage payments before paying off the mortgage loan, the bank or financial institution concerned will sell the flat. Should the sale proceeds of the flat fail to cover the full outstanding balance of the mortgage and all the interest, legal costs, administration fees, etc. payable under the mortgage, the bank or financial institution will, pursuant to the Deed of Guarantee, make a claim against the HA for the payment of all the above arrears that the purchaser owes. The HA shall then under the Deed of Guarantee pay the same to the bank or financial institution. In relation to the payments made by the HA to the bank or financial institution, the HA will then recover such payments and the interest from the purchaser.

**22. What are the alienation restrictions for the owner of the sale of GSH flats at Kai Chuen Court, Dip Tsui Court and Tsing Fu Court?**

The flat shall not be assigned by the purchaser to any other person or organisation before executing the Deed of Assignment. If a purchaser requests for cancelling the ASP before executing the Deed of Assignment and the HA agrees to the same, a sum equivalent to 5% of the purchase price will be retained by the HA as consideration for cancellation of the ASP. Besides, the purchaser is required to pay or reimburse the HA for all legal costs, charges and disbursements (including stamp duty, if any) in connection with or arising from the cancellation of the ASP.

A purchaser who wishes to assign or let the GSH flat after becoming an owner of a flat at Kai Chuen Court or a resale flat of Dip Tsui Court / Ching Fu Court sold under this sale exercise as per the Deed of Assignment will be subject to the terms of the Deed of Assignment and the terms, covenants and conditions contained in the Government lease. The HA will not buy back or nominate a buyer (except HOS Secondary Market) to buy the above flats, and the following alienation restrictions will apply to the owners of the above flats:

- (a) Within the first two years from the date of the first Deed of Assignment of the flat from the HA to an owner (the first assignment), the owner has to sell the flat in the HOS Secondary Market to a GF buyer nominated by the HA without

payment of premium and at a price not more than the original purchase price under the first assignment.

- (b) Between the third to the tenth year from the date of the first assignment, the owner has to sell the flat in the HOS Secondary Market to a GF buyer nominated by the HA without payment of premium and at his/ her own negotiated price.
- (c) After ten years from the date of the first assignment:
  - (i) The owner may sell the flat in the HOS Secondary Market to a GF buyer nominated by the HA without payment of premium and at his/ her own negotiated price.
  - (ii) The owner may also sell or let the flat in the open market after payment of premium.

**23. What are the alienation restrictions for the flat owner of recovered TPS flats in GSH 2020/21?**

The flat shall not be assigned by the purchaser to any other person or organisation before executing the Deed of Assignment. If a purchaser requests for cancelling the ASP before executing the Deed of Assignment and the HA agrees to the same, a sum equivalent to 5% of the purchase price will be retained by the HA as consideration for cancellation of the ASP. Besides, the purchaser is required to pay or reimburse the HA for all legal costs, charges and disbursements (including stamp duty, if any) in connection with or arising from the cancellation of the ASP.

A purchaser who wishes to assign or let the recovered TPS flat after becoming an owner under this sale exercise as per the Deed of Assignment will be subject to the terms of the Deed of Assignment and the provisions in the Housing Ordinance (Cap. 283) and its subsequent amendments. The following alienation restrictions will apply to the owners:

- (a) Within the first two years from the Date of First Assignment (Note: The Date of First Assignment refers to the date of the first Deed of Assignment of a particular TPS flat from the HA to a purchaser):
  - (i) The owner may sell the flat back to the HA at the purchase price specified in the Deed of Assignment.
- (b) Between the third to the fifth year from the Date of First Assignment:
  - (i) The owner may sell the flat back to the HA at the buyback price to be assessed by the HA, which is the assessed market value at the time of offer deducting the original purchase discount.
  - (ii) If the HA declines to accept the buyback application, the owner may sell the flat in the open market subject to the payment of a premium to the HA.

- (iii) The owner may also sell the flat to an eligible purchaser in the HOS Secondary Market without payment of a premium to the HA and at his/her own negotiated price.
- (c) After five years from the Date of First Assignment:
  - (i) The owner may sell the flat in the open market subject to payment of a premium to the HA.
  - (ii) The owner may also sell the flat to an eligible purchaser in the HOS Secondary Market without payment of a premium to the HA and at his/her own negotiated price.

Upon receipt of an application of offer to sell to the HA, the HA reserves the right to accept the assignment of the recovered TPS flat to the HA or to decline the offer in accordance with the prevailing policy.

Under the current policy, the HA will not accept any application/ offer to sell a recovered TPS flat back to the HA from an owner after 5-year alienation restrictions period from the Date of First Assignment.

The premium which the owner is required to pay is calculated based on the prevailing market value of the flat without alienation restrictions, and the difference between the original purchase price of the flat and its initial market value as specified in the first assignment. In other words, the premium is calculated by applying the discount of the original purchase price to the prevailing market value.

Purchasers should take note that the initial market value used to calculate the discount at the time of purchase is the market value prevailing at the date of the ASP. The sale price of flats in this sale exercise, once fixed, will remain unchanged throughout the sale period. As there is normally a time lag of a few months between the fixing of the sale price and the signing of the ASP, during which the market value of a flat may fluctuate according to the market conditions, the actual discount rate at the time of signing the ASP may be different from that when the sale price was fixed. The actual discount at the time of signing the ASP will be adopted for calculation of the premium.

Please refer to the HA/HD website ([www.housingauthority.gov.hk](http://www.housingauthority.gov.hk)) for details of the premium payment procedures.