

Family of four in court over public rental housing units fraud

22 October 2016

A family of four appeared in court today (Saturday) after being charged by the ICAC with fraud by subletting a public rental housing (PRH) unit without paying a premium to the Housing Department (HD) and obtaining another PRH unit by deceit respectively.

The defendants, who were charged on Wednesday (October 19) in two cases, were Hui Wai-sheung, 53, mother, Lam Man-wah, 60, father, Lam Wai-chung, 32, son, and Lam Pui-yin, 29, daughter.

The cases arose from a corruption complaint. Subsequent ICAC enquiries revealed the alleged fraud offences concerned.

In the first case, Hui Wai-sheung and Lam Man-wah faced a joint charge of fraud, contrary Section 16A of the Theft Ordinance.

The couple entered no plea when they appeared in the Fanling Magistracy today. Principal Magistrate Ms Woo Huey-fang adjourned the case to November 14 this year for plea.

In September 2004, the couple purchased a PRH unit in Cheung Wah Estate, Fanling under the "Tenants Purchase Scheme". Under the scheme, a PRH unit is prohibited from being leased out unless its owners obtained approval and paid a premium of the unit to the HD.

The charge alleged that between September 2, 2010 and October 31, 2015, the couple, together with a tenant, falsely represented to the HD that the unit had not been leased to any person; concealed from the HD that the unit had been leased to the tenant; and failed to pay a premium to the HD for leasing the unit to the tenant.

It was alleged that with intent to defraud, the couple induced staff members of the HD to take no action against them for recovering the premium due to the HD arising from the leasing of the unit to the tenant. The premium that should have been paid by the couple was said to range from over \$710,000 to about \$1.9 million.

In the second case, Lam Wai-chung and Lam Pui-yin faced a joint charge of fraud, contrary Section 16A of the Theft Ordinance.

The siblings entered no plea when they appeared in the Kwun Tong Magistracy today. Principal Magistrate Mr Ernest Lin Kam-hung adjourned the case to November 21 this year for plea.

In February 2009, the siblings and their grandmother were allocated a PRH unit in Sau Mau Ping South Estate under the "Families with Elderly Persons Priority Scheme". Under the scheme, the HD offers priority to applicants for PRH units in urban districts, provided that the applicants undertake to live with and take care of their elderly family member(s) in the allocated unit.

The charge alleged that between July 2, 2008 and February 26, 2015, the siblings falsely represented to the HD that they had resided with their grandmother in the unit; and concealed from the HD the fact that the grandmother had resided in Caritas Fung Wong Fung Ting Home, an elderly care home, during the period.

It was alleged that with intent to defraud, the siblings induced staff members of the HD to take no enforcement action against them for having breached the undertaking they had executed upon their acquiring the unit from the HD, namely to reside in the unit with their grandmother and take care of her.

The HD had rendered full assistance to the ICAC during its investigation.

The prosecutions in the above two cases were today represented by ICAC officers Pius Chan and

Alex Lau respectively.

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廉署起訴一家四口疑涉公屋單位欺 詐分案提堂

2016年10月22日

廉政公署落案起訴一家四口，控告他們涉嫌欺詐，分別沒有向房屋署繳付地價而出租一個公共租住房屋(公屋)單位，並以欺騙手段取得另一個公屋單位。四名被告今日(星期六)在裁判法院應訊。

被告為許惠想，五十三歲，母親；林敏華，六十歲，父親；林偉聰，三十二歲，兒子；及林佩賢，二十九歲，女兒。他們星期三(十月十九)分兩案被起訴。

廉署早前接獲貪污投訴，調查其後揭發相關涉嫌罪行。

在首宗案件，許惠想及林敏華同被控一項欺詐罪名，違反《盜竊罪條例》第16A條。

夫妻二人今日在粉嶺裁判法院應訊，暫時毋須答辯。主任裁判官吳蕙芳將案件押後至本年十一月十四日答辯。

他們於二〇〇四年九月經「租者置其屋計劃」向房屋署購買粉嶺祥華邨一個公屋單位。根據有關計劃，除非獲房屋署批准及向該署支付相關公屋單位的地價，否則嚴禁業主將單位出租。

控罪指夫妻二人涉嫌於二〇一〇年九月二日至二〇一五年十月三十一日期間與一名租客一起，向房屋署虛假地表示沒有出租該單位予任何人；向房屋署隱瞞該單位曾出租予該租客；以及沒有向房屋署繳付地價而將該單位出租予該租客。

夫妻二人涉嫌意圖詐騙而誘使房屋署職員沒有就該單位出租予該租客而向他們採取行動以追討地價。他們應繳付的地價據報由七十一萬多元至約一百九十萬元不等。

在第二宗案件，林偉聰及林佩賢同被控一項欺詐罪名，違反《盜竊罪條例》第16A條。

兩兄妹今日在觀塘裁判法院應訊，暫時毋須答辯。主任裁判官練錦鴻將案件押後至本年十一月二十一日答辯。

兩兄妹及其外祖母於二〇〇九年二月經「家有長者優先配屋計劃」獲編配秀茂坪南邨一個公屋單位。根據有關計劃，房屋署優先向申請者編配市區公屋單位，惟申請人必須承諾在獲編配的公屋單位內與其長者家庭成員同住並照顧他們。

控罪指兩兄妹涉嫌於二〇〇八年七月二日至二〇一五年二月二十六日期間，向房屋署虛假地表示他們與其外祖母在該單位同住；以及向房屋署隱瞞其外祖母在該段期間事實上在明愛馮黃鳳亭安老院居住。

他們涉嫌意圖詐騙而誘使房屋署職員沒有就兩兄妹違反他們從該署取得有關單位的承諾採取行動，即與其外祖母在該單位同住並照顧她。

房屋署在廉署調查案件期間提供全面協助。

上述兩案的控方今日分別由廉署人員陳俊陞及劉彥農代表出庭。

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