

## Complaint Form

- Note:**
- Before completing this form, please read the Notes in Part 2.
  - Do you consent to the disclosure of your identity to the complainee and/ or other relevant parties?  Yes  No (If the answer is “No”, read paragraph 9 in the Notes)

Case No. (to be assigned by PMSA):	
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### Part 1 — Information about the complaint

#### 1. Complainant's particulars (see paragraph 2 in the Notes)

Name: (Mr / Ms) \_\_\_\_\_ Status: owner / tenant / visitor / others \_\_\_\_\_

Hong Kong identity card no./ passport no.: \_\_\_\_\_ Telephone no.: \_\_\_\_\_

Address: \_\_\_\_\_

Email address: \_\_\_\_\_

#### 2. Complainee's particulars (see paragraph 3 in the Notes)

##### (a) Licensed property management company

Name: \_\_\_\_\_

Licence no.: \_\_\_\_\_ Telephone no.: \_\_\_\_\_

##### (b) Licensed property management practitioner

Name: (Mr / Ms) \_\_\_\_\_ Post: \_\_\_\_\_

Licence no.: \_\_\_\_\_ Telephone no.: \_\_\_\_\_

Name of property management company concerned: \_\_\_\_\_ Licence no.: \_\_\_\_\_

#### 3. Type of property concerned (can be more than one)

Residential  Mall  Office  Industrial  Carpark  Others (please specify) \_\_\_\_\_

Address: \_\_\_\_\_

#### 4. Owners' organization

Incorporated owners  Owners' committee  Mutual aid committee  Others

Name and address: \_\_\_\_\_



## Part 2 — Notes

1. A complaint may be lodged against a licensee who is suspected to have committed a disciplinary offence or no longer meets any of the prescribed criteria for holding the licence (“non-compliance”). The Property Management Services Authority (PMSA) may conduct an investigation if it has reasonable cause to suspect that the non-compliance has occurred.
2. The complainant must provide his / her name, Hong Kong identity card / passport number, correspondence address and telephone number so that the PMSA may contact him / her and, where required, issue a summons for appearing in disciplinary hearings to testify.
3. The PMSA may only handle a complaint in which the person was and acted as, at the time when the suspected non-compliance occurred, a licensee. In other words, if the relevant person was not a licensee at the material time, the PMSA has no jurisdiction to investigate the matter.
4. The PMSA may only carry out investigation into non-compliance occurred on or after 1 August 2020.
5. If the information provided is not sufficient for the PMSA to ascertain the non-compliance, the PMSA may not take follow-up actions. Therefore, the complainant should provide details, including the date of the incident, the address of relevant property, person and/or property management company, etc.
6. The complainant may commit an offence if he/she, upon the request of the investigator appointed by the PMSA, provides any information or document or gives any response, that is false or misleading in a material particular; and he / she knows that, or is reckless as to whether, the information, document or response is false or misleading in a material particular. The maximum penalty is a fine of \$200,000 and imprisonment for 1 year.
7. The complainant may commit an offence if he/she, at a hearing, gives any evidence, or provides any information or document, that is false or misleading in a material particular; and he/she knows that, or is reckless as to whether, the evidence, information or document is false or misleading in a material particular. The maximum penalty is a fine of \$200,000 and imprisonment for 1 year.
8. If the PMSA is satisfied that the complaint is misconceived or lacking in substance (for example, the complaint is based on mere speculation), the PMSA is not required to conduct an investigation. Moreover, the PMSA may consider not conducting an investigation if: (a) the matter complained of is outside its jurisdiction (e.g. mere contractual dispute); (b) the matter complained of has happened for over 12 months and the complainant fails to give a reasonable explanation <sup>note 1</sup> for the delay in lodging the complaint; (c) the complainant is not willing to testify in the disciplinary hearing and/or refuses to complete the Complaint Form and/or refuses to attend a meeting to give a detailed statement; or (d) the matter complained of is also the subject of legal proceedings <sup>note 2</sup>. If the PMSA decides not to conduct or to terminate an investigation, it will, as soon as practicable, notify the complainant of such a decision and give a reason for the decision in writing.
9. If the complaint is lodged anonymously or the person lodging the complaint refuses to disclose his/her identity to the complainee and/or other relevant parties, the PMSA may decide whether or not to handle the complaint and, in any event, will not inform the person lodging the complaint of its decision, the progress and result of the investigation.
10. The information provided by the complainant will only be used for purposes which are related to the complaint. All personal data submitted by the complainant may be transferred to parties who will be involved in the processing of the complaint and the undertaking of disciplinary proceedings including the complainee or other parties concerned, or to such persons and agencies who are authorized to receive information relating to undertaking disciplinary action, law enforcement, prosecution, review of decision or carrying out the functions of the PMSA under the PMSO. Not providing the required information may result in the PMSA being unable to handle the complaint.
11. The privacy policy of the PMSA is available on its website at <https://www.pmsa.org.hk>.

Note 1: A reasonable explanation may include the complainant being not in Hong Kong at the material time.

Note 2: The PMSA may consider deferring an investigation pending the outcome of legal proceedings.

## Part 3 — Declaration and signature

I have already read and understood the contents in the Notes in this form. The information that I provided in this form is true to the best of my knowledge and belief. If the information is false, I understand that the PMSA and/or other third parties may take legal actions and I may be held liable for all civil and/or criminal liabilities.

\_\_\_\_\_  
Complainant's signature

\_\_\_\_\_  
Date