

**DISCOVERY BAY HILLGROVE VILLAGE OWNERS' COMMITTEE (2018-2019)**

**Minutes of Meeting No.21 held on 6 July 2023, 7:30 p.m.**

**at Multi-Purpose Hall, Discovery Bay Office Centre, Discovery Bay.**

**Present:**

Mr. Edwin Rainbow	(ER)	Chairperson
Ms. Janice Fung	(JF)	Vice-Chairperson
Mr. John Antweiler	(JA)	Member
Ms. Nikki Wepener	(NW)	Member
Mr. Steve Kwok	(SK)	Manager – Estate, CM (Secretary)
Ms. Jenny Tsang	(JT)	Officer – Estate

**Apologies:**

Mr. Chung Kwok Wah	(CKW)
Mr. Edmond Fan	(EF)
Mr. Martyn Keen	(MK)
Ms. Kimberly Keng	(KK)
Ms. Alice Li	(AL)
Ms. Lo Yuk Shan, Connie	(CL)
Mr. Yiu Lesile Sheun Lai	(LY)
Straba Company Limited	
- Mr. Nigel JH Reid	(NR)

**1. Confirmation of Previous Meeting Minutes**

SK stated that the draft Meeting Minutes No.20 were circulated to all VOC Members with no comment was received. SK reminded that Annex 1 which prepared by the Chairman would also be attached in the Meeting Minutes No.20. ER announced that Meeting Minutes No.20 was confirmed by the VOC.

## **2. Matters Arising**

### ***2.1 Propose to Install CCTV camera at the blind spots of the Village***

SK stated that the CCTV according to EF suggestion was purchased and tested. SK further presented with photo showing the footage being captured from the mobile phone which linked with the CCTV camera. VOC appreciated the screen was clear and SK stated that the order was made and pending for the delivery and installation.

Besides, with regard to the recent burglaries cases in the Community, SK proposed to increase the spot lighting at the rear area of those 3 Buildings to enhance the security. The Chairman suggested to add a motion sensor which may scared the suspicious. SK would follow.

### ***2.2 Replacement of Wall-Mounted Lights***

VOC acknowledged the long outstanding defective wall-mounted lights at Brilliance Court were replaced.

The Chairman requested CM to have a checking to all mailboxes of three Buildings and to study the remedies for the repair work. SK replied would task the security guard to have a comprehensive checking and mark down which mailboxes required to do the repair.

### ***2.3 New Cleaning Contract***

SK stated the background together with the workflow of the new appointment of the cleaning contract for all Villages of Discovery Bay. Hillgrove Village will have 7.02% increment. SK further expressed that a 5L designed bags will be distributed to each unit for the first 3 months after the commencement of Municipal Solid Waste charging scheme phasing-in period.

## **3. Progress of Renovation**

### ***3.1 Improvement Items***

SK presented with photos showing the existing depreciated railing vs the new railing. As agreed, the notice would be drafted and to obtain VOC comment before issuing to individual Owner for the decision to install or not.



### *3.2 Discussion of Various Variation and Defects for the Renovation Works*

SK showing the tender analysis after the re-tendering of the window repair work. VOC no adverse comment to award the window repair work to Realfit Engineering Limited (Realfit) at HKD\$382,949 (excluding the Contractor All Risks).

## **4. Report on Financial Status**

### *4.1 Update the Legal Case regarding the Long Outstanding Management Fee*

SK stated that the First Defendant finally agreed to proceeding the Order of Sales, however, during the Third Hearing on 7 June 2023, The Master refused to approve and grant the order as the concerned unit was co-owned and hence, the Consent Order was required to be signed by the Second Defendant as well. Therefore, the Master adjourned the Meeting on 25 July 2023 at 10:30.

JA enquired the outstanding amount would be claimed and SK showing the table with breakdown between Management Fee & Renovation Fee. JA further asked whether can have the details breakdown (by month starting from the beginning) and SK would follow accordingly.

The Chairman reminded that although the amount to be claimed has a huge variance with their calculation in the interest part (HKD\$385,937 vs HKD\$2.0M+), at least the case would be settled soon. JA enquired the outstanding payment status of another Unit F in Brilliance Court and reminded to adopt the proper interest calculation when proceeding the legal action. SK replied that the concerned Owner seems response to us and the autopay of management fee re-activated again. Hence, CM would further follow and now is pre-mature discussed about taking any legal action.

## **5. Any Other Business**

### *5.1 Security Issue*

JF raised her concerns on recent burglaries cases happened in Greenvale Village & Midvale Village and she would like to know what kind of the security measures would be enhanced shortly in the Village.

The Chairman and SK recapped the discussion in Agenda Item 2.1 which CM would speedy follow.

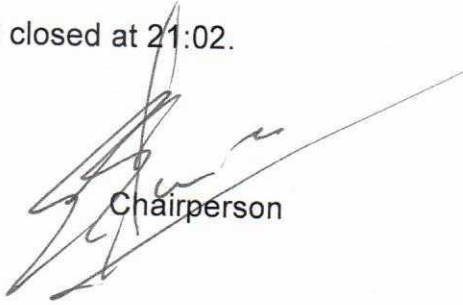
#### *5.2 The Chairman Presentation*

The Chairman commented that he prepared a powerpoint presentation (Annex I) related to the recent implementation on Property Management Services Ordinance (PMSO) and also the different and the comparison with the current Building Management Ordinance (BMO), but the presentation was not allowed to present in the recent COC Meeting. However, the detail presentation was done in the VOC Meeting with those attended VOC Member.

#### *5.2 Owners' Meeting*

The Owners' Meeting was confirmed to be held on 2 November 2023 (Thursday). JF requested SK to prepare the schedule of workflow which for VOC and CM easy to follow.

There being no further business, ER announced the meeting was closed at 21:02.

  
Chairperson

***\*If there is any inconsistency between the Chinese Version and English Version, the English Version shall prevail.***

(Draft information for Hillgrove VOC and Owners - for COC review)

## PROPERTY MANAGEMENT SERVICES ORDINANCE

### Origin and background

Work on the Ordinance began in Legco in 2016 (?) and lead to the the establishment of an Authority - **PROPERTY MANAGEMENT SERVICES AUTHORITY** to further regulate the industry in areas where the Home Affairs Department had found the **BUILDING MANAGEMENT ORDINANCE** to be deficient and lacking regulation. The PMSA and produced 16 Codes of Conduct, one of which is a Complaints Handling Procedure and made a presentation to our COC in 2019:

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## **Property Management Services Ordinance (Cap. 626) Overview of the Proposed Licensing Regime**

September 2019





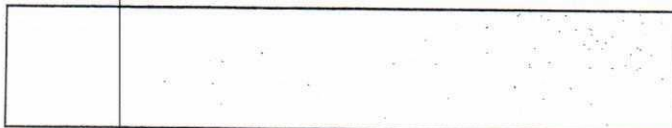
## PMSA

### Property Management Services Ordinance

Provides a legal framework for the regulatory regime for the property management industry

Principal functions of the PMSA are:

- to regulate and control the provision of property management services by the licensing of property management companies and property management practitioners;



- to maintain and enhance the status of the profession of property management services.

### Building Management Ordinance

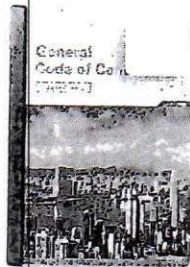
Provides a legal framework for the formation and operation of owners' corporations (OCs)

The Secretary for Home Affairs is the Authority of the Ordinance, whose principal functions are:

- to advise owners on the procedures of the formation of an OC and its operation;



- help resolve disputes among owners, OCs and management companies.



1.-General-Code-of-Conduct.pdf



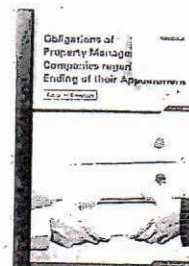
2.-Complaint-Handling.pdf



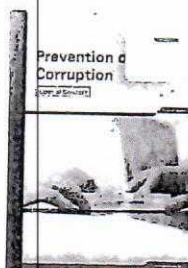
3.-Effective-Control-over-PM-Business-.pdf



4.-Handling-Moneys.pdf



5.-Ending-of-their-Appointment.pdf



6.Prevention-of-Corruption.pdf



7. Licences.pdf



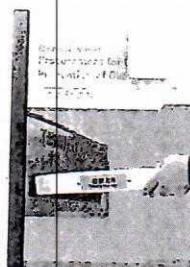
8.Protection-of-Personal-Data.pdf



9. Arranging-Payment.pdf



10.Financial-Documents.pdf



11. Bidding.pdf



12.Handling-Emergencies.pdf

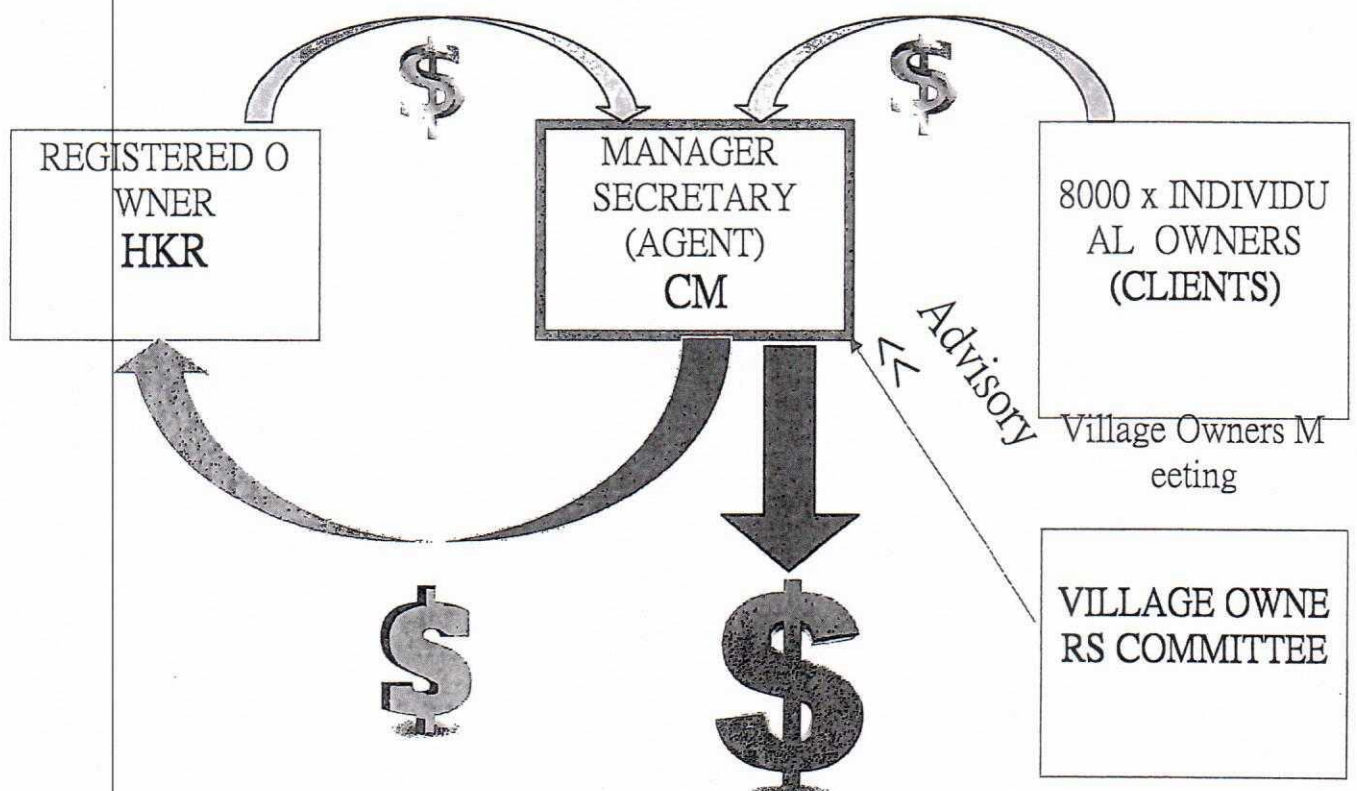


13. Scaffolding-Works.pdf



14. Suspended-Working-Platform.pdf

## DISCOVERY BAY - DBSML CONTROLS THE BUSINESS





## DISCOVERY BAY - CITY MANAGEMENT - DMCs

PROPERTY MANAGEM  
ENT ORDINANCE  
"CODES OF CONDUCT  
"

BUILDING MANAGEME  
NT  
ORDINANCE  
"REGULATIONS"

PDMC

HKR  
REPRESENTATIVE  
S

MANAGER  
SECRETARY  
(AGENT)  
CM

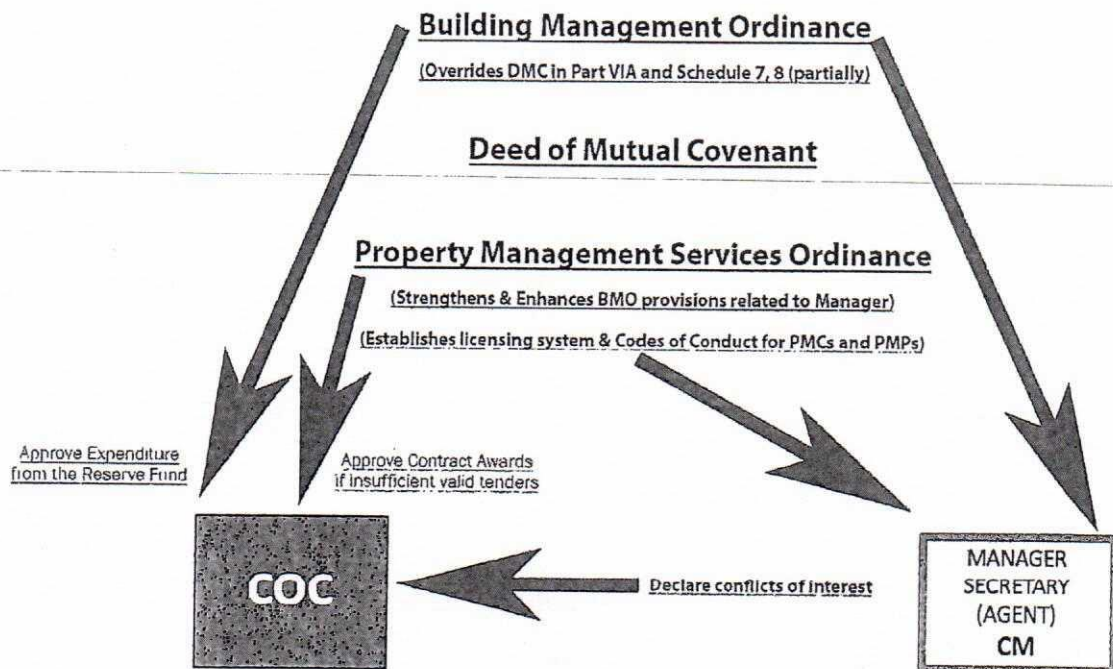
REPRESENTED  
BY VOC CHAIRP  
ERSONs

Declare  
Conflicts  
◊

COC

Advisory  
◄◄

## DISCOVERY BAY – COC



## OVERVIEW: HOW DO "THE CLIENTS" EXERCISE THEIR RIGHTS

In theory all difficulties can be resolved through the VOCs and COCs relying the following references:

BMO

Building Management Ordinance



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DMCs

The Deeds of Mutual Covenant (for DB)

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### DMCs

#### The Deeds of Mutual Covenant (for DB)

A "contract" governing how the Property Manager runs Discovery Bay on behalf of its clients (registered owner, 8000 individual owners)



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? 14 x Codes of Conduct

? 2 x distinct Complaints Procedures

? Powers of enforcement



## The PMSO introduced two distinct Complaints Procedures:



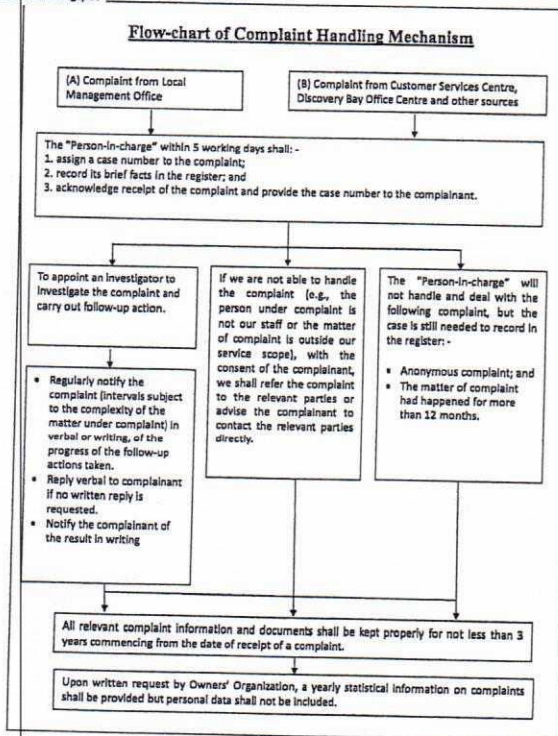
Discovery Bay (is considered as one building) is required to display its internal Complaint Handling Mechanism, which must follow PMSO guidelines

Owners, tenants, even visitors can make complaint against Property Manager using the the Form available online. To be actionable by the PMSA the complaint will likely have to a failure to adhere to one of the 14 Codes. Conflicts of interest and corruption feature strongly in the codes



物業管理業監督局  
PROPERTY MANAGEMENT SERVICES AUTHORITY

2.-Complaint-Handling.pdf



**Complaint Form**

Notes: 1. Before completing this form, please read the Notes in Part 2.  
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 3 in the Notes)

Case No. (to be assigned by PMSA): \_\_\_\_\_

**Part 1 — Information about the complaint**

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

Name (in / 中文): \_\_\_\_\_ Status: owner / tenant / visitor / others \_\_\_\_\_  
 Hong Kong Identity card no. / passport no.: \_\_\_\_\_ Telephone no.: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Email address: \_\_\_\_\_

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

(a) Licensed property management company

Name: \_\_\_\_\_  
 License no.: \_\_\_\_\_ Telephone no.: \_\_\_\_\_

(b) Licensed property management practitioner

Name (in / 中文): \_\_\_\_\_ Post: \_\_\_\_\_  
 License no.: \_\_\_\_\_ Telephone no.: \_\_\_\_\_  
 Name of property management company concerned: \_\_\_\_\_ License 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: \_\_\_\_\_

Units 916-4, 815, 816 Ring Road Centre, 248 Queen's Road East, Wai Chai, Hong Kong Tel: 2899 1111 Fax: 2896 1100  
 Email: complaint@pmsa.org.hk  
 C-FORM (5/2021 v1)