

Executive Summary **Direct Investigation Operation Report**

Housing Department's Management of Public Housing Estates: Air-conditioner Dripping

Introduction

Public housing provides homes for the grassroots. Currently, over 780,000 households, comprising nearly 2 million residents, live in 195 public rental housing (“PRH”) estates managed by the Housing Department (“HD”). The daily management of PRH estates involves an extensive range of areas, and proper management of public housing is an important issue affecting people’s livelihoods.

2. This direct investigation operation focuses on handling and enforcement of air-conditioner water dripping of PRH estates, examining HD’s handling of complaints about air-conditioner dripping, enforcement actions, monitoring of property services agents (“PSAs”), and collaboration with the Food and Environmental Hygiene Department (“FEHD”).
3. Nothing about people’s livelihoods is trivial. The nuisance caused by air-conditioner dripping should not be overlooked. Over the years, HD has made extensive efforts to tackle this problem including the implementation of the air-conditioner drain-pipe installation programme and the classification of air-conditioner dripping as a misdeed under the Marking Scheme for Estate Management Enforcement (“Marking Scheme”). With HD’s continuous efforts, the problem of air-conditioner dripping has been significantly alleviated. Despite the growth of PRH population, the number of complaints received by HD dropped by 93% from around 18,900 in 2005 to an average of around 1,300 in recent three years (i.e. 2022 to 2024), or only seven complaints annually per estate. This remarkable accomplishment merits recognition and appreciation.
4. However, air-conditioner dripping nuisance remains a typical problem every summer. HD bears the responsibility to enhance its handling to further ensure a quality and hygienic environment for residents. With the sharp decline in complaint cases, there should be rooms for further enhancement on HD’s workflow in handling each complaint. Overall, the Office has the following comments and recommendations concerning HD’s enforcement against air-conditioner dripping in PRH estates.

Our Findings and Comments

(I) Monitoring of PSAs to be Strengthened

5. Among the PRH estates managed by HD, around two-thirds are “outsourced

estates” with the property management outsourced to PSAs, while one-third are directly managed by HD (“directly-managed estates”).

6. Between 2022 and 2024, outsourced and directly-managed estates respectively received 2,826 and 1,049 complaints about air-conditioner dripping. During those years, related complaints rose by 45.5% in outsourced estates and 20.1% in directly-managed estates. In 2024, 10.6% of the complaints in outsourced estates were repeated complaints, compared to 6.3% in directly-managed estates. These figures reflect that directly-managed estates outperformed outsourced estates, where outsources estates had a higher increase in number of complaints and more repeated complaints.

7. Over the same period, PSAs issued 6,307 letters of reminder in outsourced estates, while HD issued 170 reminder letters in directly-managed estates. On average, PSAs issued two reminder letters per complaint received in outsourced estates, which was tenfold of those issued in directly-managed estates.

8. The Office notes that air-conditioner dripping constitutes a misdeed under the Marking Scheme, where such enforcement measures as issuance of warnings and allotment of penalty points are applicable according to circumstances. However, the Marking Scheme does not include an option of issuing reminder letters. During our inquiry and investigation, initially HD had not yet formulated guidelines for issuing reminder letters, nor were PSAs required to report the issuance of reminder letters to the Department.

9. There were cases revealing that despite of repeated issuance of reminder letters dripping problem still occurred. Even though it has a mechanism in place to monitor the performance of PSAs, HD remains at a relatively passive position as it can hardly ensure whether PSAs are issuing too many reminder letters and determine whether there is any mishandling of air-conditioner dripping cases.

10. The Office is pleased to note that HD introduced in December 2024 enhancement measures under the Marking Scheme, including launching standardised “advisory letters”, granting a uniform grace period of five days, and reminding tenants of the consequences of not rectifying the problem, such as allotment of penalty points or even termination of the tenancy.

11. The Office recommends that HD explore the formulation of measures for monitoring the issuance of advisory letters and case reporting to strengthen its supervision of PSAs. To facilitate monitoring, HD should also explore ways to record the details and follow-up of dripping complaints more systematically.

(II) HD’s Operational Guidelines to be Enhanced

12. The Office finds HD’s operational guidelines for handling air-conditioner dripping cases rather brief, with only the procedures for enforcing the Marking Scheme. No detailed instructions are given to frontline staff on such aspects as complaint

investigation, source detection, air-conditioner testing (including its duration), dealing with uncooperative tenants, and arranging follow-up inspections.

13. In our view, without appropriate guidance, frontline staff may handle cases inconsistently. A case showed that security staff closed the case solely based on the rooftop inspection without entering the flat in question to switch on and test the air-conditioner, which was not quite prudent. Moreover, the estate management office failed to effectively deal with the tenant's repeated refusals for indoor testing. In another case, we note that security staff attempted ground-level observation and indoor testing, but no follow-up inspection has been carried out in a systematic manner.

14. The Office recommends that HD consider enhancing its operational guidelines for handling air-conditioner dripping cases based on the specific circumstances of PRH estates and its estate management experience, enabling frontline management staff to work in clarity and effectively. The guidelines should cover procedures involved in different stages of handling, including how to tackle with uncooperative tenants, detection of dripping sources, testing of air-conditioners and follow-up inspections etc.

(III) Reminder Letters and Advisory Letters

15. The Office understands that HD adopts an enforcement approach with a balance between reason and compassion against air-conditioner dripping cases. Nevertheless, in certain cases we examined, although the estate management office had identified the source of dripping, it only gave verbal advice and issued reminder letters repeatedly without activating the Marking Scheme. While reminder letter is advisory in nature, a Notification Slip is an enforcement tool under the Marking Scheme. They have fundamentally distinct functions. Without proper guidelines on the issuance of reminder letters, disparity in treatment may occur.

16. Moreover, the Office notes that the reminder letters issued by HD and PSAs vary in both content and the specific requirements imposed on tenants. Given the inconsistent formats of reminder letters, we are pleased to learn that HD has standardised the format of reminder letters, renamed them "advisory letters", and given a uniform grace period of five days for tenants to make rectification. Nevertheless, since advisory letters are issued in cases with the source of dripping already confirmed, we consider further guidelines desirable for handling suspected or uncertain cases.

17. The Office recommends that HD draw up operational guidelines and notices in designated format for cases where the source of dripping has not been determined, admonishing tenants to take the initiative to check their dripping air-conditioners and carry out proper maintenance.

(IV) Limitations of the Method for Identifying Dripping Air-Conditioners

18. According to HD, in most complaint cases, enforcement staff are able to enter the flats concerned for inspection or observe from outside the flats. As such, the usual

approach is to visually identify the source of dripping with the aid of binoculars.

19. The Office considers that visual observation has significant limitations. A case we examined showed that when a building has multiple sources of dripping, it was difficult to accurately identify the sources solely by ground-level visual observation, even with the aid of binoculars. The Office recommends that HD expedite and broaden the adoption of innovative technologies to strengthen its ability to detect dripping air-conditioners.

(V) Enhancing Staff Training

20. The Office is pleased to note that since the implementation of enhancement measures under the Marking Scheme in December 2024, HD has updated the relevant operational manual and provided a series of training for frontline staff. Regarding the authorisation of security supervisors and building supervisors to enforce the Marking Scheme, HD has also optimised the Notification Slip and produced a simplified version of the operational manual to facilitate frontline staff's performance of duties. Given the turnover of staff, we recommend that HD continue to strengthen staff training on enforcing the Marking Scheme, particularly on handling air-conditioner dripping, to enhance enforcement efficiency.

(VI) Stepping Up Publicity and Education

21. To properly address the issue of air-conditioner dripping in PRH estates, HD bears the responsibility to follow up on complaints proactively and take appropriate enforcement actions against non-compliant tenants. However, tenants' self-discipline is also crucial. We recommend that HD continue to step up publicity and education for PRH residents, particularly emphasising that air-conditioner dripping will incur penalty points and must be promptly rectified upon detection.

22. During the summer of 2024, FEHD launched a pilot operation codenamed "CLEARSKY" in selected districts. In addition to proactive inspections of air-conditioner dripping blackspots, FEHD also stepped up publicity and education. We consider these large-scale inspections and outreach initiatives conducive to enhancing enforcement effectiveness and raising public awareness of compliance.

23. The Office recommends that HD consider collaborating with other government departments (such as FEHD) to explore opportunities of conducting large-scale inspections as well as publicity and education campaigns, with a view to increasing public engagement, boosting awareness of proper air-conditioner maintenance, and encouraging tenants affected by dripping air conditioners to join efforts in detecting the source.

Our Recommendations

24. Overall, we recommend that HD:

- (1) require PSAs to report to HD cases where problems remain unresolved after issuing advisory letters and the Notification Slip;
- (2) explore the formulation of measures for monitoring the issuance of advisory letters and case reporting to strengthen its supervision of PSAs;
- (3) explore how to record the details and follow-up of dripping complaints more systematically to facilitate monitoring;
- (4) consider collaborating with other government departments (such as FEHD) to exchange views on how to conduct systematic analysis and arrange targeted inspections;
- (5) consider collaboration with other government departments (such as FEHD) to exchange views on the template for recording air-conditioner dripping cases to facilitate follow-up and monitoring;
- (6) consider enhancing its operational guidelines for handling air-conditioner dripping cases, enabling estate management staff to work in clarity and effectively;
- (7) beef up the operational guidelines with clear procedures for frontline staff to investigate the source of dripping, including making every effort to enter suspected flats for air-conditioner testing where there is no other way to verify the source of dripping, for example, when the source cannot be determined through external observation, standardising the durations for testing, and specifying follow-up actions when the source remains unidentified;
- (8) consider stipulating in the operational guidelines that frontline staff must conduct follow-up inspections to ensure dripping air-conditioners are properly repaired;
- (9) elaborate in the operational guidelines on how to deal with uncooperative tenants effectively and firmly;
- (10) draw up operational guidelines and notices in designated format for cases where the source of dripping has not been determined;
- (11) consider requiring PSAs to include in their monthly reports the number of advisory letters issued and any repeated cases to facilitate problem detection and follow-up;

- (12) expedite and broaden the adoption of innovative technologies to strengthen its ability to detect dripping air-conditioners;
- (13) continuously strengthen staff training on enforcing the Marking Scheme, particularly on handling air-conditioner dripping cases, to improve enforcement efficiency;
- (14) continuously step up publicity and education for PRH residents before and during summer, emphasising that air-conditioner dripping will incur penalty points and must be promptly rectified upon detection; and
- (15) consider collaborating with other government departments (such as FEHD) to explore opportunities of conducting large-scale inspections as well as publicity and education campaigns, with a view to increasing public engagement and boosting awareness of proper air-conditioner maintenance.

Office of The Ombudsman

August 2025

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