

PROPERTY MANAGEMENT SERVICES AUTHORITY

Best Practice Guide on Complaint Handling Mechanism of Property Management Companies

Guide No.: G2/2021

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Preamble

For the purpose of enabling licensees¹ to comply more effectively and professionally with the guidelines set out in the Code of Conduct entitled “Complaint Handling Mechanism of Property Management Companies” (Code No.: C2/2021) (“Code”) issued by the Property Management Services Authority (“PMSA”) on 8 January 2021 and revised on 4 July 2025, the PMSA provides relevant guidelines in this Best Practice Guide (“Guide”) pursuant to section 44² of the Property Management Services Ordinance (Cap. 626) (“PMSO”). While licensees are encouraged to use their best endeavours to follow the Guide, failure to comply with the Guide will, however, not be regarded as a disciplinary offence referred to in section 4 of the PMSO.

Complaint procedures and systems

Code: A(1) A licensed property management company (“Licensed PMC”) has to, taking into account the actual circumstances, establish an effective complaint³ handling mechanism (“Mechanism”) for handling client⁴ complaints in respect of the property for which property

¹ The term “licensee” means the holder of the following licence: a PMC licence; a PMP (Tier 1) licence; a PMP (Tier 2) licence; a provisional PMP (Tier 1) licence; or a provisional PMP (Tier 2) licence.

² Section 44 of the PMSO provides: “*The Authority may do anything it considers appropriate for it to do for, or in relation to, the performance of its functions.*”

³ A Licensed PMC is not required to follow the Code or the Guide if it reasonably believes that a person has only made an enquiry or provided opinion or information, but has not made a complaint. A complaint may be lodged by a named or an anonymous person and such a person includes a client or a visitor of the relevant property. Complaints may be lodged through different ways, including complaint made verbally, by telephone, fax or email, etc. If a Licensed PMC reasonably believes that the identity of a complainant cannot be ascertained through the information the complainant has provided, it may deal with the complaint as if it were an anonymous complaint.

⁴ Distinct from the definition of “Client” under section 16 of the PMSO, the term “Client” as used in this Guide, in relation to a property for which a Licensed PMC provides property management services, means - (a) the owners’ organization of the property; (b) the owners of the property who pay or are liable to pay the management expenses in respect of the services; and (c) the tenants.

management services (“PMSs”) are provided by it.

A(2) The Licensed PMC has to display the content of the Mechanism in a prominent place in the concerned property so as to enable its clients (and relevant persons) to note the relevant information.

A(3) The Mechanism, as mentioned in paragraph A(1) of the Code, shall include the following elements:

- (a) The procedure for handling complaints;
- (b) The person responsible for complaint handling (see paragraph B(1) of the Code);
- (c) Personal information collection statement;
- (d) Recording of complaints upon receipt;
- (e) Proper handling of complaints;
- (f) Timely notifying the complainant in respect of the complaint progress and result; and
- (g) Proper retention of complaint record.

Guide:

- a(1) As mentioned in paragraph A(2) of the Code, a Licensed PMC shall display the content of the Mechanism in a prominent place in the property concerned. A sample of the relevant content is provided in **Appendix 1**. The Licensed PMC should, so far as reasonably practicable, take into account the specific circumstances of the property, and after obtaining the consent of the owners’ organization (if applicable), display the content of the Mechanism in legible and appropriate font size at various suitable and prominent locations within the property (such as the notice board at the property management office or in the property lobby).
- a(2) Clients may request information regarding the Mechanism from the Licensed PMC. Apart from clients, a Licensed PMC should also provide the information of the Mechanism to a visitor upon request.
- a(3) In order to handle complaints more efficiently, a Licensed PMC should state in the Mechanism that a complaint may not be dealt with due to delay in lodging it.

Appointing a person-in-charge to supervise the handling of complaints

Code: B(1) A Licensed PMC has to appoint a licensed property management practitioner (“Licensed PMP”) to supervise the handling of complaints (“Person-in-Charge”), and display the name, licence number and telephone number and/or email address of the Person-in-Charge in a prominent place in the property.

Guide:

- b(1) The Person-in-Charge appointed by a Licensed PMC in accordance with paragraph B(1) of the Code may either be a Licensed PMP (Tier 1) or a Licensed PMP (Tier 2).
- b(2) A Licensed PMC should display the relevant information legibly and in appropriate font size in the prominent place in the property concerned, so far as reasonably practicable (such as the notice board at the property management office or in the property lobby).
- b(3) If the subject of the complaint and/or the complaint matter concerns the Person-in-Charge referred to in paragraph B(1) above, the Licensed PMC should appoint another Person-in-Charge to supervise the handling of the complaint. If a Licensed PMP cannot be appointed, a suitable senior supervisor should be assigned as the Person-in-Charge.

Acknowledging receipt of and recording complaints

Code: C(1) Subject to paragraph E(3) of the Code, upon receipt of a complaint, the Licensed PMC has to, as soon as reasonably practicable, promptly record the complaint in an appropriate manner that enables effective identification of the case (e.g., by assigning a case number), and has to acknowledge receipt of the complaint to the complainant in an effective manner.

C(2) The Licensed PMC has to ensure that the following information is recorded in the complaint record: the name of the complainant (if provided); brief facts about the complaint and the date on which the complaint is recorded.

Guide:

- c(1) The licensed PMC should promptly record the brief facts of the complaint in the complaint register (see a sample at **Appendix 2**) and acknowledge receipt of the complaint from the complainant in an appropriate manner. If the complainant has provided contact information, the Licensed PMC may choose to communicate with the complainant verbally, by telephone or in writing (i.e. by email or letter) to acknowledge receipt of the complaint.
- c(2) In addition to the name of the complainant (if provided), the brief facts of the complaint and the date on which the complaint is recorded, the information of the relevant unit in the property (if provided) and the identity of the person who records the complaint (e.g., the name of the staff or staff number) should also be recorded in the register (whether maintained in electronic or paper format).

Handling complaints properly

Code: D(1) Upon receipt of a complaint, a Licensed PMC has to, as soon as reasonably practicable, carry out follow-up action in accordance with the Mechanism. However, a Licensed PMC may not deal with an anonymous complaint⁵.

⁵ Although a Licensed PMC may not deal with an anonymous complaint, it is still required to record such a complaint in the complaint register in accordance with paragraph C(1) of the Code.

D(2) Subject to paragraph E(3) of the Code, if the nature of complaint falls outside the scope of matters that can be handled by the Licensed PMC (e.g., the person under complaint is not a staff member of the Licensed PMC, or the matter of complaint is outside the scope of the PMSs provided by the Licensed PMC or the matter of complaint concerns a violation of laws or regulations other than the PMSO), the Licensed PMC has to, depending on the actual circumstances and with the complainant's consent (if applicable), timely refer the complaint to the relevant person, organization (e.g., the property's management committee or owners' committee), or law enforcement agencies, or advise the complainant to contact the relevant person, organization, or law enforcement agencies directly.

D(3) The Licensed PMC shall, as soon as reasonably practicable, verify the relevant information of a complaint to ensure the accuracy and reliability of the collected information, in order to handle the complaint effectively.

Guide:

- d(1) Depending on the nature of the complaint (e.g., if the matter does not involve a breach of the property's Deed of Mutual Covenant, the PMSO, or the Building Management Ordinance (Cap. 344)), the Licensed PMC may not deal with a complaint if the complaint is received over 12 months after the matter of complaint occurred. However, if the nature of the complaint involves more serious or exceptional circumstances, the Licensed PMC should consider, depending on the specific situation, whether the complaint requires handling.
- d(2) Where reasonably practicable, a Licensed PMC should appoint a suitable person to handle complaints and formulate guidelines on reporting, keeping and accessing complaint-related information and reviewing handling results.
- d(3) The Licensed PMC should regularly check the information recorded in the complaint register, and rectify or arrange to rectify any error or omission found as soon as reasonably practicable.

Notifying complainant of complaint progress and result timely

Code: E(1) A Licensed PMC has to timely notify the complainant the progress of handling the complaint.

E(2) Upon completion of complaint handling, the Licensed PMC has to notify the complainant of the result. Depending on the actual circumstances and needs, the Licensed PMC has to also explain to the complainant the reasons for the result (if applicable) and provide information pertaining to the follow-up action(s) taken (if any).

E(3) If the complainant is not a client related to the property managed by the Licensed PMC, the Licensed PMC may consider not contacting or notifying the complainant in accordance with the guidelines set out in paragraphs C(1), D(2), E(1) and E(2) of the Code. However, the Licensed PMC still has to act in accordance with other guidelines of the Code.

Guide:

- e(1) If a complainant has provided relevant contact information, the Licensed PMC may choose to notify the complainant of the complaint handling progress using an appropriate method. Upon completion of complaint handling, the Licensed PMC should, as soon as reasonably practicable, notify the complainant of the result using an appropriate method. Depending on the nature of the complaint and whether the complainant has made a specific request, the Licensed PMC should explain to the complainant the reasons for the complaint result (if applicable) and the follow-up action(s) taken (if any).
- e(2) Although a Licensed PMC is not required to follow the guidelines set out in paragraphs C(1), D(2), E(1) and E(2) of the Code to contact or notify a complainant who is not a client of the Licensed PMC, the Licensed PMC should still handle the complaint appropriately.

Proper keeping of complaint record and providing complaint information

Code: F(1) A Licensed PMC has to keep all relevant complaint information⁶ and documents properly for not less than 3 years commencing from the date of receipt of a complaint (irrespective of whether the complaint is established or not). A Licensed PMC has to, upon written request (if any) made by the owners' organization, provide yearly statistical information on complaints (including the nature of complaints, the sub-total and total number of complaints) to the owners' organization.

Guide:

f(1) The Licensed PMC should properly keep relevant complaint information and documents using appropriate methods (e.g., records and documents should be stored in a secure and clean location, a record management system should be established, personnel responsible for file management should be clearly designated, and access by unauthorized person to relevant information and documents should be restricted; if stored electronically, the records should be encrypted, access permissions configured, and regular backups performed) in order to prevent damage or loss of records during the retention period, ensuring that the records remain available for future review and audit.

— END —

If there is any inconsistency between the Chinese version and the English version of this Guide, the Chinese version shall prevail.

If there are any amendments to any laws or regulations mentioned in this Guide, licensees have to act in accordance with the revised provisions.

⁶ Relevant information includes records of oral or telephone communication with complainants.

Complaint Handling Mechanism of Property Management Companies

Name of property: _____

Name of property management company: _____

Name of person-in charge: _____ Licence no.: _____

Telephone no. / email address: _____

1. According to the guidelines issued by the Property Management Services Authority, we have established a complaint handling mechanism (the “Mechanism”). A copy of the details of the Mechanism may be provided to a client or a visitor upon the receipt of a reasonable copying fee.
2. Ways of lodging a complaint:
 - Calling the management office at [telephone number];
 - Contacting a staff member or security guard who is on duty;
 - Writing to [address] or dropping a letter into the designated mailbox;
 - Emailing to [email address]; or
 - Using designated electronic means (e.g., mobile application (if any)).
3. Under the complaint handling Mechanism, we have appointed a Person-in-Charge to supervise the handling of complaint. When a complaint is received, the Person-in-Charge will, as soon as reasonably practicable, promptly record the complaint in an appropriate manner that enables effective identification of the case, acknowledge receipt of the complaint to the complainant, record complaint’s brief facts in the register, and, as soon as reasonably practicable, rectify or arrange to rectify the register if an error or omission is found. We will, as soon as reasonably practicable, carry out follow-up action(s) according to the Mechanism. If the nature of complaint falls outside the scope of matters that can be handled by licensed property management company, we will, depending on the actual circumstances and with the complainant’s consent (if applicable), timely refer the complaint to the relevant person, organization, or law enforcement agencies, or advise the complainant to contact the relevant person, organization, or law enforcement agencies directly. We will notify the complainant of the progress and the result of the complaint timely. All relevant complaint information and documents will be kept for a period of not less than 3 years commencing from the receipt of the complaint.

[Note: Licensed PMCs should set out in the above paragraph 3 whether they will follow up and/or how to follow up in respect of an anonymous complaint, a complaint lodged by a person who is not a client, and a complaint the subject matter of which had occurred for more than 12 months.]

4. The following is our personal information collection statement:

The personal data collected will be used for the purpose of handling complaint. Providing personal data is voluntary, however, if a complainant does not provide sufficient information, we may not be able to follow up on and handle the complaint. A complainant may, at any time, request us to cease using his or her personal data by informing our Personal Data (Privacy) Officer. Any personal data provided may be transferred to other parties if it is necessary for us to comply with the applicable legal or regulatory requirements, or orders of competent authorities in Hong Kong or other jurisdictions. A complainant has the right to request access to, and correction of, his/her personal data held by us. Any such request should be made to our Personal Data (Privacy) Officer at [address].

Note: A Person-in-Charge means a licensed PMP (Tier 1), a licensed PMP (Tier 2) or a senior supervisor appointed to supervise the handling of complaint.

Sample (for reference only)

Appendix 2

Complaint Register

Name of property: _____ Name of property management company: _____

Name of person-in-charge: _____ Staff no. / Licence no. (if applicable): _____ Telephone no.: _____

Premises related: Residential / Club House / Mall / Carpark / _____ Email address: _____

Item No.	Date of complaint	Complainant (Name and unit (if provided))	Brief facts of complaint	Person recording complaint (Name of the staff or staff no.)	Date on which complaint is recorded	Date on which the handling of complaint is concluded and the complainant notified	Remark	Date of inspection by Person-in- Charge and signature

Note: A Person-in-Charge means a licensed PMP (Tier 1), a licensed PMP (Tier 2) or a senior supervisor appointed to supervise the handling of complaints.