

Complaint Form

Note:

1. Before completing this form, please read the Notes in Part 2.
2. Do you consent to the disclosure of your identity by the PMSA to the complainee and/or other relevant parties in the course of processing your complaint?

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 _____
(Please fill in the name on your identification document.) (Please specify) *

Identity card no./ passport no.: _____ Telephone no. #: _____
(English letter(s) and the first three digits)

Correspondence Address#: _____

Email address# (if any): _____

Note: I understand that if I fail to provide the specified information in the required fields, including my full name, the English letter(s) and first three digits of my ID card/passport, correspondence address, and telephone number, the PMSA will treat this complaint as an anonymous complaint and may not provide me with any response.

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 Clubhouse Common Area Others (please specify) _____

Property Address#: _____

4. Owners' organization

Incorporated owners Owners' committee Others

Name and address: _____

#mandatory item

*please delete if inapplicable

5. Details (see paragraphs 4 and 5 in the Notes)

(Please provide a detailed chronological account of your allegations, including date, time, property involved, individuals involved, and the property management company. Please use a separate sheet if more space is needed.)

(Attachment pages: _____ sheets)

6. Relevant information (if any)

a. Do you have other information (e.g. documents, records, witnesses, photographs, videos or recordings) to support this complaint?

Yes (please provide details below) No

(You should provide sufficient information and evidence to support your complaint. Otherwise, the PMSA may be unable to follow up on your complaint.)

Have you ever filed a complaint with the PMSA regarding this case?

Yes. Date of last complaint (Year Month Day)

File number (if known):

□ No

c. Have you lodged a complaint with other organizations or government departments?

Yes No

If yes, the name of the organization / government department:

Name of handling officer and telephone no.:

Result: [View](#) [Edit](#) [Delete](#)

Please explain the reason for lodging a complaint at this stage if the non-compliance had happened for more than 12 months prior to the lodgement. Note: This question is only applicable if the non-compliance happened more than 12 months prior to the lodgement.

d. Please explain the reason for lodging a complaint at this stage if the non-compliance had happened for more than 12 months (see paragraph 8 in the Notes)

#mandatory item

**please delete if inapplicable*

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 the PMSA with their name, and should provide their identity card number/passport number, correspondence address, and telephone number to facilitate contact by the PMSA. At the initial stage of the complaint, the complainant may choose to provide partial information of their identity card number/passport number (i.e., the letter(s) and first three digits of the identity card number/passport number). However, if the PMSA requires the full identity card number/passport number at a later stage of the investigation, such as when issuing a summons to the complainant for attending a hearing or giving evidence, the complainant must provide the full identity card number/passport number.
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. 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.
5. 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.
6. 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.
7. 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 ^{note 1} 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 ^{note 2}. 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.
8. 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.
9. 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.
10. Before submitting a complaint, please review carefully the PMSA’s Personal Information Collection Statement (see Appendix 1). Please note that such statement forms part of this complaint form.

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.

**please delete if inapplicable*

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

(Note: If this complaint form is not signed, the PMSA may be unable to process your complaint.)

#mandatory item

Personal Information Collection Statement¹

1. All personal information provided to the PMSA will only be used for purpose(s) directly related to this complaint.
2. Provision of your name is mandatory, failing which, 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.
3. The telephone number, correspondence address and email address provided are used by the PMSA for handling the complaint. The PMSA will inform you timely about the investigation progress, request for further information, or to notify you of the investigation result or the PMSA's decision via your correspondence address or email address. Should you fail to provide these contact details, it may affect the progress of the PMSA's handling of your complaint, or even prevent us from following up on your complaint due to an inability to obtain sufficient information from you regarding the matter.
4. When lodging a complaint, you are not required to provide your full identity card number/passport number. Should it become necessary, for instance where the case proceeds to a disciplinary hearing, or where the PMSA issues a summons requiring the complainant to attend the hearing or give evidence, the PMSA will request you to provide your full identity card number / passport number.
5. The personal information you provide may be transferred to other law enforcement organisation(s)/agency(ies), or disclosed to persons or organisations contacted in the course of our handling of the complaint, including the subject of the complaint or other relevant persons or organisations. Such personal information may also be disclosed to authorised persons or organisations for the purposes of disciplinary hearings, law enforcement, prosecution, review of decisions, or for the PMSA's performance of its functions under the Property Management Services Ordinance (Cap. 626).
6. You are entitled to access and correct your personal data held by the PMSA. Requests for access or correction should be submitted to the Data Protection Officer of the PMSA using the Data Access Request Form (Form OPS003) specified by the Privacy Commissioner for Personal Data. The completed form should be mailed to Units 806-8, 8/F, Dah Sing Financial Centre, 248 Queen's Road East, Wan Chai, Hong Kong.

¹ This Personal Information Collection Statement forms part of the Complaint Form of the Property Management Services Authority.