香港房屋委員會
Hong Kong Housing Authority

HONG KONG HOUSING SOCIETY
香港房屋協會

Flat for Flat Scheme for Elderly Owners Application Guide

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Content

1. Flat for Flat Scheme for Elderly Owners – Overview

1.1 Objective

The Flat for Flat Scheme for Elderly Owners ("FFS") allows owners aged 60 or above owning designated **subsidised sale flats** for 10 years or above ("Original Flat") to sell their Original Flat in the **secondary market** with premium unpaid and then purchase one flat with smaller **saleable area** or in a **more remote area** (only one of the conditions needs to be met) ("Newly Purchased Flat") in the secondary market. FFS aims at addressing the needs of elderly households and providing them with additional option to flexibly deploy their assets to support their livelihood, while making more effective use of existing housing resources and facilitate the circulation of subsidised sale flats.

1.2 Target Group

(a) All the owner(s) (including joint owner(s)) and listed family member(s) of the Original Flat must be aged 60 or above; and
(b) Own a designated subsidised sale flat of the Hong Kong Housing Society ("HKHS") or Hong Kong Housing Authority ("HA"); and
(c) Own the title of the Original Flat for 10 years or above (from the date of signing the Deed of Assignment or date of the Deed of Assent in respect of the Original Flat) ; and
(d) The Original Flat is still subject to the alienation restrictions (flat with premium unpaid);
(e) Except for the Original Flat, the applicant(s) and the listed family member(s) **should not own any domestic property in Hong Kong** during the period from 24 months preceding the date of signing the Trade Down Permit ("TDP") application form and up to the date of signing the Provisional Agreement for Sale and Purchase ("PASP") of the Newly Purchased Flat.
(f) For TDP application under FFS, please refer to paragraph (2) below.

1.3 What is meant by Subsidised Sale Flat

(a) For subsidised sale flat of HKHS, please refer to Appendix 3;

(b) For subsidised sale flat of HA [including Home Ownership Scheme ("HOS") / Private Sector Participation Scheme ("PSPS") / Tenants Purchase Scheme ("TPS") / Green Form Subsidised Home Ownership ("GSH") Pilot Scheme / GSH], please refer to the following website: https://www.housingauthority.gov.hk/en/home-ownership/hos-secondary-market/index.html

1.4 What is meant by Secondary Market

(a) Including Flat-for-Sale Scheme Secondary Market Scheme ("SMS") of HKHS and HOS Secondary Market Scheme of the HA (collectively known as "Secondary Market");

(b) Transactions in the Secondary Market are done more or less the same way as in the open market. The purchaser and the seller may negotiate on their own or make the transaction through an estate agent. However, to comply with the requirements for sale and purchase of flat under Secondary Market, both the purchaser and the seller shall apply to the HKHS or HA for the requisite supporting documents, including a

Certificate of Availability for Sale ("CAS") for the seller and a Certificate of Eligibility to Purchase and a Letter of Nomination ("LN") for the purchaser. The Formal Agreement for Sale and Purchase and the Deed of Assignment shall be prepared by solicitors.

1.5 Determination of Saleable Area

Under the FFS, property sale and purchase transactions will involve the determination of saleable area. The saleable area is based on the property's recorded saleable area as stored in the property records of the Rating and Valuation Department ("RVD"). Such information is available from the RVD property information. Applicant shall arrange each enquiry service by himself / herself at his / her own cost.

1.6 Definition of More Remote Area

The subsidised sale flats under the Secondary Market Scheme (HKHS and HA) are distributed in four districts in Hong Kong, namely (in order of ascending remoteness): (i) Urban (including Central and Western, Wan Chai, Eastern, Southern, Yau Tsim Mong, Kwun Tong, Wong Tai Sin, Kowloon City and Sham Shui Po); (ii) Extended Urban (including Tung Chung, Sha Tin, Tseung Kwan O, Tsuen Wan and Kwai Tsing); (iii) New Territories (including Tuen Mun, Yuen Long, North, Tai Po and Sai Kung); and (iv) Islands (excluding Tung Chung). Applicant may purchase a flat under the FFS with a saleable area equal to or larger than that of the Original Flat, provided that the Newly Purchased Flat is located in a more remote area (inapplicable to owners of Original Flat situated in the "Islands" district). For example, if the Original Flat is located in Urban, the applicant may purchase a flat with smaller saleable area in Urban or opt for a flat with any saleable area in Extended Urban, New Territories or Islands.

For the list of subsidised sale flats of HKHS and HA and their classification of Districts under the FFS, please refer to Appendix 3 and HA website (https://www.housingauthority.gov.hk/en/home-ownership/hos-secondary-market/index.html)

Please note that the option of buying a Newly Purchased Flat in a more remote area is not applicable to TDP holders whose TDP was issued before 27 September 2026.

1.7 What is meant by Owning Domestic Property in Hong Kong

The following situations are regarded as owning domestic property in Hong Kong:

(a) owned or co-owned any domestic property in Hong Kong or any interest in such kind of property; or

(b) entered into any agreement which is still valid and subsisting (including preliminary agreement) to purchase any domestic property in Hong Kong; or

(c) owned more than 50% of the shares in a company which directly or through a subsidiary company owned any domestic property in Hong Kong; or

(d) been a beneficiary of the estate of any deceased person which includes any domestic property or land in Hong Kong; or

(e) assigned any domestic properties in Hong Kong or any interest in such properties in Hong Kong (the date of assignment means the date of execution of the Deed of Assignment); or

(f) withdrawn from any company which owned any domestic property in Hong Kong in which the applicant/listed family member(s) owned more than 50% of the shares.

Domestic properties include any domestic property, uncompleted private domestic property, rooftop structures approved by the Buildings Department, domestic building lots and small house grants approved by the Lands Department in Hong Kong.

1.8 Basic Operation Mode of FFS

(a) Apply for TDP to the HKHS
(b) Apply for CAS to the HKHS / HA – depending on the category of the Original Flat
(c) Completion of sale of the Original Flat in the Secondary Market
(d) Apply for Certificate of Eligibility to Purchase to the HKHS / HA – depending on the category of the Newly Purchased Flat
  i. HKHS - Application for "Certificate of Eligibility to Purchase" (Flat for Flat Scheme for Elderly Owners)
  ii. HA - Application for "Certificate of Eligibility to Purchase" (White Form Status)
  (collectively known as "CEP")
(e) Sign Provisional Agreement for Sale and Purchase ("PASP") for the Newly Purchased Flat in the Secondary Market
(f) Apply for LN to the HKHS / HA – depending on the category of the Newly Purchased Flat
(g) Sign Formal Agreement for Sale and Purchase and Assignment to complete transaction for the Newly Purchased Flat

Please refer to Appendix 1 for details

2. Apply to HKHS for Trade Down Permit

2.1 Eligibility Criteria for TDP

(a) Applicant(s) must be the owner and all the joint owner(s) (if any) of the designated subsidised sale flats of HKHS [Note 1] or HA; and

Note 1 : Please refer to the following website for the participating developments under FFS: https://www.hkhs.com/en/application/flat-for-flat-scheme-for-elderly-owners

(b) All applicant(s) and listed family member(s) [Note 2] must be of kin relationship and aged 60 or above; and

Note 2 : Listed family members are recorded in accordance with the household records maintained by HKHS or HA. Applicant(s) should enquire the relevant records with the estate management office / Applications Section of HKHS or the respective District Tenancy Management Office of HA prior to the submission of TDP application. Applicant(s) may apply for addition or deletion of registered family members before the submission of TDP application, subject to the prevailing policies of HKHS or HA.

(c) One of the applicants must have owned or co-owned with joint owner(s) the title of the Original Flat for 10 years or above (from the date of signing the Deed of Assignment in respect of the Original Flat) on the date of signing the TDP application form; if the applicant(s) acquired the ownership in the capacity as the beneficiary(ies) of the estate of the deceased owner, the title of the Original Flat must have reached 10 years or above from the date of the Deed of Assent by virtue of which the beneficiary(ies) of the estate of the deceased owner acquired the Original Flat; and

(d) The Original Flat is still subject to the alienation restrictions under (i) the relevant Government Land Grant, Modification Letter(s) and Waiver Letter(s) issued by the Lands Department (in the case of the Original Flat being a HKHS subsidised sale flat), or (ii) the Housing Ordinance and the relevant Government Land Grant, Modification Letter(s) and Waiver Letter(s) issued by the Lands Department (in the case of the Original Flat being a HA subsidised sale flat) (flat with premium unpaid); and

(e) Except for the Original Flat, the applicant(s) and any of the listed family member(s), during the period from 24 months preceding the date of signing the application form for TDP and up to the date of signing the PASP of the Newly Purchased Flat, should not own any domestic property in Hong Kong.

Regarding the definition of owning domestic property in Hong Kong, please refer to paragraph 1.7 of this Application Guide.

If there is any dispute over the interpretation of the aforesaid eligibility criteria and/or the District(s) of the Original Flat, the decision of HKHS shall be final.

2.2 Submit TDP Application

(a) Eligible owner(s) of subsidised sale flats who intend to participate in the FFS has to apply to the HKHS and obtain TDP before entering into a PASP for the sale of the Original Flat in the Secondary Market. Owner(s) who has already disposed of the Original Flat shall be ineligible to apply for TDP and no retrospective issuance will be granted.

(b) Eligible owner(s) of subsidised sale flats who has already hold a valid CAS issued by HKHS / HA is not required to re-apply for CAS, please provide the said CAS certificate number in the TDP application form for HKHS reference;

(c) Eligible owners may request HKHS to send copies of the application form and the application guide of TDP by post.

(d) The application form and the application guide could be obtained at the following location during office hours or by download from the following website:

i. HKHS FFSS Secondary Market Support Unit, G/F., Dragon Centre, 23 Wun Sha Street, Tai Hang, Hong Kong (Office hours: 8:30 a.m. to 12:30 p.m. and 1:30 p.m. to 5:30 p.m. from Monday to Friday, excluding Saturdays, Sundays and public holidays);

ii. The HKHS's website: https://www.hkhs.com/en/application/flat-for-flat-scheme-for-elderly-owners

(e) All owner(s) and listed family member(s) of the Original Flat must be stated in the same application form. Only one application form can be submitted for one flat. If duplicated applications are found, they will all be null and void.

(f) Any person must be listed in one application form only, and each application form shall be applicable solely for the future purchase of one subsidised sale flat with premium unpaid in the Secondary Market, subject to the fulfilment of the relevant conditions. HKHS and/or HA will conduct thorough checks for any duplicate applications or purchases. Should any such cases be identified, all related applications and transactions will be null and void.

(g) Applicant(s) are advised to return the duly completed and signed application form together with (i) Hong Kong Identity Card ("HKIC") copies of applicant(s) and all listed family member(s) and (ii) a crossed cheque / cashier's order for the prescribed application fee (please refer to Appendix 2) by post to HKHS FFSS Secondary Market Support Unit (Address : G/F., Dragon Centre, 23 Wun Sha Street, Tai Hang, Hong Kong). The envelope should be clearly marked ["Flat for Flat Scheme for Elderly Owners"]. Application that cannot be delivered to the HKHS due to insufficient postage will not be processed.

(h) All information provided must be true and correct or else HKHS is entitled to cancel such application. Applications that are not submitted by the specified method will not be accepted. HKHS reserves the right not to accept any application.

2.3 TDP Approval Process

(a) Upon receipt of the application form, HKHS will first review whether the applicant(s) and the listed family member(s) meet the eligibility criteria.

(b) Upon initial vetting, HKHS will contact and invite the applicant(s) and the listed family member(s) to attend, during office hours, the HKHS's office (Address: G/F., Dragon Centre, 23 Wun Sha Street, Tai Hang, Hong Kong) in person to proceed with and complete the application procedures. The applicant(s) and the listed family member(s) are advised to attend the interview on the specified date. If they are unable to attend in person, HKHS may contact the applicant(s) by telephone to proceed with and complete the application procedures.

(c) Applicant(s) must undertake and sign to agree to comply with the terms and conditions of the TDP issued by HKHS. For details, please refer to paragraph 2.4 below.

(d) **After completion of the assignment for the sale and purchase of the Original Flat, the applicant(s) can produce the copy of TDP to HKHS for the application of "Certificate of Eligibility to Purchase" (Flat for Flat Scheme for Elderly Owners) and/or HA for the application of "Certificate of Eligibility to Purchase" (White Form Status) upon payment of the relevant fees according to the latest fee schedule. The original TDP shall be returned to HKHS or HA when the applicant's solicitor applies for LN for purchase of a subsidised sale flat and will be kept by HKHS or HA for record.**

2.4 Key Terms and Conditions for the Issue of TDP

(a) **TDP holder must undertake that within two years from the date of the assignment of the Newly Purchased Flat ("the restriction period"), the Newly Purchased Flat cannot be sold under the SMS or HOS Secondary Market.** Within the restriction period, TDP holder can only sell the Newly Purchased Flat in the open market by payment of premium, as to when the premium of a flat under SMS or HOS Secondary Market can be made, applicants should take reference to the alienation restrictions on the individual development.

(b) The applicant(s) and/or listed family member(s) must remain eligible to participate in the FFS and comply with the terms and conditions therein from the issue date of TDP up to the date of signing the PASP of the Newly Purchased Flat. If there is any change of family circumstances of the applicant(s) and/or listed family member(s), the applicant must notify HKHS for rectification as soon as possible, upon which HKHS shall re-assess the eligibility of the applicant(s) and listed family member(s), (if any) to participate in the FFS. If the application becomes ineligible due to change of family circumstances (including but not limited to marital status) or transfer of ownership, HKHS reserves the right to revoke the TDP and/or recover any losses and liabilities arising from any breach of the terms and conditions of the TDP.

(c) HKHS reserves the right to revoke and terminate the TDP upon issuance of the notice to the TDP holder.

(d) The TDP will be revoked, terminated and become invalid in case of the following:
- Any change to the ownership of the Original Flat before the sale of the same (except ownership changes due to the right of survivorship in a joint tenancy); or
- The alienation restrictions under (i) relevant Government Land Grant, Modification Letter(s) and Waiver Letters issued by the Lands Department (in the case of the Original Flat being a HKHS subsidised sale flat), or (ii) the Housing Ordinance or the relevant Government Land Grant, Modification Letter(s) or Waiver Letter(s) issued by the Lands Department (in the case of the Original Flat being a HA subsidised sale flat), are no longer applicable to the Original Flat (i.e. premium paid); or
- Upon issuance of the notice of revocation to the TDP Holder; or
- The TDP holder is in breach of (i) the terms and conditions of the FFS, (ii) the terms and conditions stated in the TDP, (iii) in the case of the Original Flat being a HKHS subsidised sale flat, the relevant Government Land Grant, the relevant Modification Letter(s) and the relevant Waiver Letter(s) issued by the Lands Department and (iv) in the case of the Original Flat being a HA subsidised sale flat, the Housing Ordinance and any terms or conditions of the relevant Government Land Grant, Modification Letter(s) or Waiver Letter(s) issued by the Lands Department.

(e) If the TDP holder is in breach of any of the terms or conditions under the TDP, HKHS is entitled to revoke the TDP, and/or pursue any claim for loss and liability arising out of the breach of any of the terms or conditions under the TDP. HKHS is also entitled to notify the relevant Government departments about the revocation of the TDP. HKHS shall not be liable for any losses and liabilities arising from the revocation of the TDP (if any).

(f) If the TDP holder is in breach of any of the terms or conditions of the TDP issued to him / her during the trade down arrangement, HKHS is entitled to issue a rectification order to the owner or institute legal proceedings against the owner.

(g) The TDP holder shall not assign or sell his / her interest in the TDP to a third party.

(h) HKHS reserves the right to revise any terms and conditions in the TDP without prior notice. All TDP holders are required to undertake to be bound by all conditions as stipulated from time to time.

(i) The FFS is subject to the terms and conditions stated in the relevant Government Land Grant, Modification Letter(s) and Waiver Letter(s) issued by the Lands Department Housing Ordinance, the TDP issued by HKHS, CAS issued by HKHS or HA, "Certificate of Eligibility to Purchase" (Flat for Flat Scheme for Elderly Owners) issued by HKHS and/or "Certificate of Eligibility to Purchase" (White Form Status) issued by HA to the applicant, and the terms and conditions as stipulated by relevant Government departments from time to time. In the event of any controversies or inconsistencies between the terms and conditions stated in the TDP issued by HKHS, CAS issued by HKHS or HA, "Certificate of Eligibility to Purchase" (Flat for Flat Scheme for Elderly Owners) issued by HKHS and/or "Certificate of Eligibility to Purchase" (White Form Status) issued by HA applicable to the applicant and the terms and conditions as stipulated by relevant Government departments in respect of the FFS from time to time, then those terms and conditions as stipulated by relevant Government departments in respect of the FFS from time to time shall prevail over the terms and conditions stated in the TDP issued by HKHS, CAS issued by HKHS or HA, "Certificate of Eligibility to Purchase" (Flat for Flat Scheme for Elderly Owners) issued by HKHS and/or "Certificate of Eligibility to Purchase" (White Form Status) issued by HA applicable to the applicant.

3. Apply for Certificate of Availability for Sale

Apart from applying to the HKHS for and obtaining a TDP, eligible owners of subsidised sale flats who intend to participate in the FFS must, prior to the sale of their Original Flat in the Secondary Market, apply to the HKHS / HA for and obtain a CAS.

3.1 Submit CAS Application

(a) Applicant(s) shall submit the completed and signed application form together with the following:

i. A copy of the Deed of Assignment(s) (Note 3); and **should there be any change of ownership, please submit copies of ALL the relevant Deed of Assignment.** Other relevant documents, such as Deed Poll, etc., if any, must also be submitted; and

ii. Copies of a water bill and an electricity bill of the flat issued by utility companies within the last six months from the date of the CAS application form; and

iii. Crossed cheque / cashier's order for payment of the prescribed application fee (please refer to Appendix 2).

Note 3 : **Please enquire at the mortgagee bank or the Land Registry concerned about the procedures for obtaining a copy of the Deed of Assignment.**

(b) Return to:

〔Applicable to the Original Flat being subsidised sale flat of HKHS〕

- Hong Kong Housing Society FFSS Secondary Market Support Unit (Address : G/F., Dragon Centre, 23 Wun Sha Street, Tai Hang, Hong Kong). Please mark [CAS Application] on the envelope.

〔**Applicable to the Original Flat being subsidised sale flat of HA**〕

- Respective Estate Office / District Tenancy Management Office of such subsidised sale development

3.2 What are the requirements and conditions for issue of CAS for the sale of flats in the SMS?

(a) For flats sold under the Flat-for-Sale Scheme ("FFSS"), Subsidised Sale Flats Project ("SSFP") and Dedicated Rehousing Estates Subsidised Sale Flats Project ("DRE SSFP"), the date of first assignment refers to the date of assignment whereby the HKHS first sells a flat to a purchaser (the "First Assignment"). In no case shall the date of the First Assignment be construed as the date of occupation of the estate concerned.

(b) <u>For flats specified in the developments of FFSS and SSFP on Table 1 in Appendix 3:</u>
Owners of flats sold under FFSS and SSFP completed before 2024 (including resale flats sold to purchasers by the HKHS) or their authorised agents may, from the third year onwards from the date of the First Assignment, apply to the HKHS for a CAS for the purpose of selling their flats. If FFSS / SSFP owners have paid the premium and removed the alienation restriction, their flats shall not be eligible for sale under SMS.

(c) <u>For flats specified in the developments of SSFP and DRE SSFP on Table 2 in Appendix 3:</u>
Owners of flats sold under SSFP completed in or after 2024 and DRE SSFP or their authorised agents may apply to the HKHS for a CAS at any time from the date of the First Assignment for the purpose of selling their flats. Provided that in the event of the vendor entering into the PASP before the expiry of five years from the date of the First Assignment, the sale price under the PASP, the formal agreement for sale and purchase, and the assignment shall be at a price not more than the price of the flat sold by HKHS to the purchaser as specified in the First Assignment.

(d) According to the application form for the purchase of the flat, the owner(s) shall use the flat for residential purpose only, and the flat shall be occupied by the owner and all the family member(s) listed on the application form for the purchase of the flat. If the owner(s) is/are found to have breached the live-in requirement concerned, the HKHS reserves the right to reject the application for CAS. Further, the HKHS has the right to revoke the CAS issued. The owner(s) concerned will not be able to sell the flat in the SMS.

3.3 What are the requirements and conditions for issue of CAS for the sale of flats in the HOS Secondary Market?

(a) Owners of subsidised sale flats sold subject to the Schedule to the Housing Ordinance and any amendments thereto ("the Schedule") may, from the third year onwards from the date of the first assignment, apply to the HA for a CAS for the purpose of selling their flats. Owners of other subsidised sale flats which are not subject to the Schedule may apply for a CAS after completion of the purchase of the flats. If subsidised sale flats owners have paid the premium with the alienation restriction removed, their flats cannot be sold under HOS Secondary Market.

(b) According to the agreement for sale and purchase for the purchase of the flat from the HA and the application form for the purchase of the flat, the owner shall use the flat for residential purposes only, and shall ensure that the flat shall be occupied by the owner and all the family members listed in the application form for the purchase of the flat. If a flat owner is found to have breached the live-in requirement concerned, the HA will not approve the application for a CAS. Further, the HA has the right to revoke the CAS issued. The owner(s) concerned will not be able to sell the flat in the HOS Secondary Market.

4. Notes on the Sale of the Original Flat

4.1 An owner holding a valid TDP issued by HKHS and a CAS issued by HKHS / HA (as the case may be) may, at any time from the later of the date of issuance of the TDP or the date of issuance of the CAS, sell his / her Original Flat without premium paid to a holder of valid CEP under the SMS of HKHS or the HOS Secondary Market Scheme of HA.

4.2 The applicant must, during the transitional period (i.e. from the completion of the sale of the Original Flat to the signing of the assignment for the purchase of the Newly Purchased Flat under the SMS of HKHS or HOS Secondary Market Scheme of HA), make his own accommodation arrangement at his own costs.

4.3 Owner of flats under HKHS's FFSS / SSFP / DRE SSFP or HA's subsidised sale flats, after selling their flats, and his / her spouse will no longer be eligible to participate in other housing subsidies schemes (except for those who have participated in the FFS and have been issued with a TDP).

4.4 In the event of any controversies or disputes between the applicant(s) and the potential purchaser(s) / seller(s) regarding the sale and purchase arrangement (including but not limited to the terms and conditions of the agreement for sale and purchase), it shall be handled by the applicant(s) and the potential purchaser(s) / seller(s) on their own and HKHS / HA shall not be responsible for such matter.

5. Apply for Certificate of Eligibility to Purchase Upon Sale of Original Flat

5.1 Upon completion of sale of the Original Flat, the applicant may, having regard to the category of subsidised sale flat in the Secondary Market that he/she intends to purchase, apply to the HKHS and/or HA for the respective CEP.

5.2 Eligibility Criteria for the CEP

(a) Applicant must be the owner or one of the joint owner(s) (if applicable) of the Original Flat, and all the listed family member(s) of the Original Flat should be listed on the same application form; all the owner(s) and listed family member(s) must be aged 60 or above and must be of kin relationship. All the owner(s) and listed family member(s) listed on the TDP application form should be listed on the CEP application form. If such requirements are not met, the HKHS reserves the right to cancel such application and the application fee(s) paid will not be refunded. If the application becomes ineligible due to change of family circumstances (including but not limited to marital status) or transfer of ownership, HKHS reserves the right to revoke the TDP and/or recover any losses and liabilities arising from any breach of the terms and conditions of the TDP.

(b) Applicant who holds a valid TDP issued by HKHS.

(c) Applicant had sold the Original Flat with the Assignment for sale and purchase executed via the FFS.

(d) Except for the Original Flat, the applicant(s) and any of the listed family member(s), during the period from 24 months preceding the date of signing the application form for TDP and up to the date of signing the PASP of the Newly Purchased Flat, should not own any domestic property in Hong Kong.

Regarding the definition of owning domestic property in Hong Kong, please refer to paragraph 1.7 of this Application Guide.

If there is any dispute over the interpretation of the aforesaid eligibility criteria and/or the District(s) of the Newly Purchased Flat, the decision of HKHS shall be final.

5.3 Submit CEP Application

(a) Applicant may obtain the relevant application form(s) in the following way(s):

〔Applicable to "Certificate of Eligibility to Purchase" (Flat for Flat Scheme for Elderly Owners) of HKHS〕

- HKHS FFSS Secondary Market Support Unit (Address: G/F., Dragon Centre, 23 Wun Sha Street, Tai Hang, Hong Kong);
- or download at HKHS website (https://www.hkhs.com/en/application/flat-for-flat-scheme-for-elderly-owners)

〔Applicable to "Certificate of Eligibility to Purchase" (White Form Status) of HA〕

- HA HOS Secondary Market Scheme Unit at Room 202, 2/F., Lung Cheung Office Block, 138 Lung Cheung Road, Wong Tai Sin, Kowloon;
- Or enquire by phone at 3162 0680

(b) Applicant should complete and sign the application form and submit together with the following documents:

i. Copy of TDP;
ii. Copies of the HKIC of applicant and all listed family member(s);
iii. Copy of the Assignment of the Original Flats sold by virtue of the FFS; and
iv. Crossed cheque / Cashier's order for payment of the prescribed application fee (please refer to Appendix 2).

(c) Submit to:

〔Applicable to "Certificate of Eligibility to Purchase" (Flat for Flat Scheme for Elderly Owners) of HKHS〕

- HKHS FFSS Secondary Market Support Unit (Address: G/F., Dragon Centre, 23 Wun Sha Street, Tai Hang, Hong Kong). Please mark [CEP Application] on the envelope;

〔**Applicable to "Certificate of Eligibility to Purchase" (White Form Status) of HA**〕

- HA HOS Secondary Market Scheme Unit at Room 202, 2/F, Lung Cheung Office Block, 138 Lung Cheung Road, Wong Tai Sin, Kowloon.

6. Acquisition of Newly Purchased Flat in the Secondary Market

6.1 Applicant holding a CEP issued by HKHS or HA, may at any time from its issuance date, purchase a flat in the Secondary Market without payment of premium, provided that the flat has a saleable area smaller than the Original Flat or a flat which is located in a more remote area (Note 4) (only one of the conditions needs to be met). The Newly Purchased Flat must be for occupied jointly by all the applicant(s) and listed family member(s).

Note 4 : Please note that the option of buying a Newly Purchased Flat in a more remote area is not applicable to TDP holders whose TDP was issued before 27 September 2026.

For the determination of "Saleable Area" and the definition of "More Remote Area", please refer to paragraphs 1.5 and 1.6 of this Application Guide.

6.2 The holder of "Certificate of Eligibility to Purchase" (White Form Status) of the HA can enter into a PASP of a flat in respect of which a CAS has been issued by the HA and subject to the followings in respect of flats sold by the HA under the GSH:

(a) Except as provided in sub-clause (b) below, the holder of this Certificate shall not be eligible to purchase a flat sold by HA under GSH;

(b) The holder of this Certificate shall be eligible to purchase a flat in King Tai Court after the expiry of five years from the date of first assignment of the flat.

6.3 The applicant of CEP must be the owner of the Newly Purchased Flat. In addition, the applicant may jointly hold the ownership with one of the family member(s) listed in the same application form provided that it is a joint tenancy not inheritable by a third party.

6.4 For purchase of the Newly Purchased Flat, the solicitors of applicant(s) are also required to apply for a LN to the HKHS or HA and further provide (i) saleable area of the Newly Purchased Flat (if applicable), (ii) Statutory Declaration in Support of the Application for a LN, (iii) Letter of Agreement (if applicable) and (iv) Acknowledgement Letter of 2 years Resale Restriction.

6.5 **A TDP holder must undertake that within two years from the date of the assignment of the Newly Purchased Flat, the Newly Purchased Flat cannot be sold under the Secondary Market.** Within the restriction period, TDP holder can only sell the Newly Purchased Flat in the open market by payment of premium, as to when the premium of a flat under Secondary Market can be made, applicants should take reference to the alienation restrictions on the individual development.

6.6 How are prices negotiated?

Transactions arrangements in the SMS of the HKHS are generally similar to those in the open market. Subject to the restrictions mentioned in Sections 3.2 (where applicable) and 7.5 of this Application Guide, the purchaser and the seller may negotiate on their own or conduct the transaction through an estate agent. On the basis of the information provided in the CAS produced by the seller, and using the formula set out in below Section 7.5, the purchaser can work out the discount rate for calculation of the premium payable when the flat is sold, rented out or assigned in any other way in open market in the future. The purchaser can then roughly assess the market value of the flat by reference to the transaction prices of other properties in the same district in the open market and make a deduction based on the discount rate to allow for his / her responsibility for premium payment in the future.

Transactions in the HOS Secondary Market of the HA are generally similar to those as in the open market. The purchaser and the seller may negotiate on their own or conduct the transaction through an estate agent. HOS flats are sold subject to the relevant Government Land Grant, Modification Letter(s) and Waiver Letter(s) issued by the Lands Department and for TPS / PSPS, King Tai Court and some HOS flats, subject also to the Schedule under Housing Ordinance (“the Schedule”). Flats which are subject to the Schedule can only be sold from the third year of the date of the first assignment, at freely negotiated price. For HOS flats which are first offered for sale by the HA from 2019 to 2021, (i) within the first two years of the date of the assignment, the flat can be sold at a price not more than the original purchase price under the first assignment; and (ii) from the third year onwards, the flat can be sold at freely negotiated price. For HOS flats which are first offered for sale by the HA from 2022 and thereafter, (i) within the first five years of the date of the first assignment, the flat can be sold at a price not more than the original purchase price[#] under the first assignment; and (ii) from the sixth year onwards, the flat can be sold at freely negotiated price. Flat owners should refer to the first assignment to ascertain whether their flats are subject to the Schedule. On the basis of the information provided in the CAS produced by the seller, and using the formula set out in below Section 7.6, the purchaser can work out the discount rate for calculation of the premium payable when the flat is sold, rented out or assigned in any other way in open market in the future. The purchaser can then roughly assess the market value of the flat by reference to the transaction prices of other properties in the same district in the open market and make a deduction based on the discount rate to allow for his / her responsibility for premium payment in the future.

\# (1) For the HOS and GSH flats which are first offered for sale by the HA from 2022 to 2023, the original purchase price is equal to the sale price and means the price of the flat as specified in the first assignment.

(2) For the HOS and GSH flats which are first offered for sale by the HA from 2024 and thereafter, the original purchase price is equal to the sale price and means the price of the flat as specified in the last assignment.

Please browse the HA/HD Website (www.housingauthority.gov.hk) for details on premium payment procedures.

7. Sale and Purchase of Newly Purchased Flat and Application of Letter of Nomination

7.1 How to complete a transaction?

(a) Upon reaching a sale and purchase agreement, both the purchaser and the vendor must present valid supporting documents to each other or the estate agent. The purchaser must hold a valid "Certificate of Eligibility to Purchase" (Flat for Flat Scheme for Elderly Owners) / "Certificate of Eligibility to Purchase" (White Form Status) while the vendor must hold a valid CAS, before entering into the PASP. The purchaser and the vendor should agree on the price of the flat in accordance with the terms and conditions specified in the CAS. The PASP must be executed using the prescribed form prescribed by the HKHS or HA.

(b) The solicitor representing the purchaser(s) will apply to the FFSS Secondary Market Support Unit of the HKHS or HOS Secondary Market Scheme Unit of the HA for a LN within one month from the date of the PASP but in any event no later than 7 working days (for flat purchased through SMS of the HKHS) or no later than 5 working days (for flat purchased through SMS of the HA) before the signing of the Formal Agreement for Sale and Purchase for confirmation of the eligibility of the purchaser(s), and that the purchaser(s) shall sign the formal Agreement for Sale and Purchase and the Deed of Assignment to complete the transaction only after the issue of the LN.

(c) If prior to the issue of LN there should be any change of status as to render the purchaser ineligible for applying or if the purchaser should receive any subsidies provided by the HKHS or HA, the purchaser will not be issued a LN.

(d) The HKHS will not provide mortgage guarantee to the purchase of flat in the SMS. Purchaser shall discuss with banks for mortgage matters by himself / herself.

(e) Other legal procedures for the execution of the Agreement for Sale and Purchase and Deed of Assignment are generally similar to those required for property transactions in the open market. Both parties may appoint their own solicitors to represent them in completing the transaction.

(f) Upon completion of the transaction, the solicitor representing the purchaser, within 10 days, should notify the FFSS Secondary Market Support Unit (for flats purchased through SMS of the HKHS) or HOS Secondary Market Scheme Unit (for flats purchased through the HOS Secondary Market Scheme of HA).

(g) The purchaser(s) including the applicant and the joint owner (if any) should have the mental capacity (if necessary, the HKHS and/or HA may require the concerned person(s) to provide a recent medical proof) to understand the nature and effect of all application / declaration documents relating to this scheme and the legal documents, such as the PASP/ Formal Agreement for Sale and Purchase / Deed of Assignment of a flat and so on, which he / she signs.

(h) The purchaser shall not assign or sell any interest in the property or in the PASP / Formal Agreement for Sale and Purchase to a third party before the transaction is completed.

7.2 How to apply for a LN?

(a) Application for a LN should be made by the solicitor representing the purchaser to the HKHS or HA, enclosing the following to the FFSS Secondary Market Support Unit of HKHS or HOS Secondary Market Scheme Unit of HA:

i. The original valid "Certificate of Eligibility to Purchase" (Flat for Flat Scheme for Elderly Owners) / "Certificate of Eligibility to Purchase" (White Form Status) of the purchaser;
ii. The original valid CAS of the seller ;
iii. The original valid TDP of the purchaser;
iv. A Statutory Declaration in support of the Application for a LN duly declared by the purchaser(s) in the presence of solicitor in the prescribed form;
v. A Letter of Agreement made by the purchaser(s) in the presence of solicitor in the prescribed form (not applicable to the purchase of Kingston Terrace / SSFP / DRE SSFP flats and the HOS flats of HA);
vi. Acknowledgement Letter (resale restriction of two years) made by the purchaser(s) and the listed family member(s) in the application form in the prescribed form;
vii. A copy of property information obtained from the RVD indicating the saleable area of the property to be purchased (must be less than the saleable area as stated in TDP) (if applicable);
viii. A copy of the PASP in the prescribed form;
ix. Undertaking by Solicitors for Application for LN (only applicable to the purchase of flats under HOS Secondary Market Scheme of HA); and
x. An application fee for LN (please refer to Appendix 2) paid in the form of a cheque signed by a solicitors' firm or a cashier's order. Please note that: the HKHS and/or HA reserves the right to revise or adjust the application fee at any time without prior notice.

(b) Up to the date of signing the PASP, the purchaser and the family members listed in the application form must still meet the application criteria.

(c) If any person is found to provide false or misleading information, statement or representation in his / her application for a CEP, the HKHS or HA will not issue a LN.

(d) The HKHS or HA will revoke the LN issued to any person if he / she is found to provide false or misleading information, statement or representation after the LN is issued.

7.3 When making a transaction in the Secondary Market, the purchaser and the seller have to produce valid supporting documents and a LN issued by the HKHS or HA. Moreover, the estate agent concerned and the solicitors representing the two parties are required to use prescribed forms specified by the HKHS or HA, including a PASP, a Formal Agreement for Sale and Purchase and a Deed of Assignment. <u>Legal documents other than these will be considered null and void</u>, and the purchaser's title will consequently be affected. Any amendments to the clauses of the prescribed forms shall require the HKHS or HA's prior approval and written consent.

7.4 How to arrange for a mortgage?

(a) **The HKHS will not provide mortgage guarantee to the purchase of flat in the SMS**, the purchasers shall discuss with individual banks for mortgage matters and the bank should adopt the standard prescribed forms for mortgage deed specified by the HKHS.

(b) **Purchasers of flats in the HOS Secondary Market Scheme of HA** requiring a mortgage loan to pay the balance of the purchase price should apply to a bank or financial institution on the approved list ("participating bank or financial institution"), which is available from the HOS Secondary Market Scheme Unit, for a mortgage loan on special concessionary terms specified by the HA. The mortgage conditions are subject to final approval by the participating bank or financial institution concerned. For details of mortgage loans, please contact the relevant individual participating bank or financial institution directly. The participating banks or financial institutions have entered into a Deed of Guarantee ("DoG") (Note 5) with the HA in respect of the HOS Secondary Market Scheme. Some of the mortgage terms are as follows:

i. Loan amount: not exceeding 90% of the purchase price or the assessed value, whichever is the less (Note 5);
ii. Repayment period: not exceeding 30 years (Note 5); and
iii. Interest rate (Note 6) : not higher than 0.5% per annum below the Best Lending Rate quoted by the participating bank or financial institution concerned.

Note 5 : As provided in the applicable DoG, the maximum mortgage default guarantee period for subsidised sale flats sold by the HA is counted from the date of first assignment of individual flats. The HA Subsidised Housing Committee endorsed on 17 November 2023 the relaxation of the mortgage arrangements for subsidised sale flats. In respect of the mortgage arrangements for the HOS Secondary Market Scheme, the maximum mortgage default guarantee period is extended from 30 years to 50 years for HOS#/GSH flats; and from 25 years to 50 years for TPS flats. For the first 40 years, the HA will provide a mortgage default guarantee to participating banks or financial institutions for a mortgage loan up to 90% of the assessed value or purchase price of the flat (whichever is the lower) for White Form applicants. From 40 years onwards to 50 years, the mortgage default guarantee provided to participating banks or financial institutions for mortgage loans will be up to 80% of the assessed value or purchase price of the flat (whichever is the lower). In case the loan-to-value (LTV) ratio required is above 80%, the purchaser of a subsidised sale flat could check with the participating banks or financial institutions whether he/ she needs to apply for a mortgage loan under the Mortgage Insurance Programme (MIP) of the HKMC Insurance Limited (HKMCI). To this end, the HA has reached an agreement with the HKMCI that the latter will allow purchasers of subsidised sale flat in the SMS to apply for a mortgage loan under the MIP to obtain mortgage loans up to an LTV ratio of 90% for White Form applicants. Moreover, the maximum mortgage repayment period for HOS#/GSH/TPS flats sold under the HOS Secondary Market Scheme has been extended from 25 years to 30 years. For queries, please contact any participating banks or financial institutions or call the HKMCI at 2536 0136, or browse the HKMCI website:
(https://www.hkmc.com.hk/eng/our_business/mortgage_insurance_programme.html) (#including PSPS and BRO Scheme)

Note 6 : Participating banks and financial institutions may offer a mortgage plan that makes reference to Hong Kong Interbank Offered Rate or to their existing mortgagors, present owners and new purchasers of Subsidised Sale Flat Scheme flats in the primary market and under the Secondary Market Scheme, in addition to mortgage plan that makes reference to the Best Lending Rate. Please contact the participating banks and financial institutions for details.

(c) The HA does not warrant that the purchaser can obtain the maximum mortgage loan (i.e. 90% of the purchase price or the assessed value, whichever is the lower), or any mortgage loan from any participating banks or financial institutions. Under the DoG entered between the participating banks or financial institutions with the HA, the guarantee period for the mortgage loan counts from the date of First Assignment of the flat. When processing the purchaser's mortgage applications, the participating banks or financial institutions will consider various reference factors including the purchasers' repayment capability, past payback records, the special concessionary terms as specified in the DoG and etc. In these circumstances, the purchasers must contact the participating banks or financial institutions concerned as early as possible for details of mortgage arrangements before effecting the purchase.

(d) If the purchaser wishes to mortgage with other bank / financial institution, which is not the participating banks or financial institutions on the approval list, the purchaser is required to obtain prior approval from the Director of Housing for such mortgage arrangement. The purchaser is reminded to allow sufficient time to apply to the Housing Department ("HD") for processing of the relevant approval in order to avoid any possible delay in the mortgage arrangement and an administrative fee is required for the concerned application.

(e) The list of participating banks or financial institutions for HOS Secondary Market Scheme is subject to change without prior notice.

(f) Before mortgage is arranged, the purchaser must obtain prior approval from the HA if he / she has accepted Home Mortgage Loan Scheme offered by his / her employer to pay for the balance of the purchase price.

(g) Purchasers should assess one's own financial capability and eligibility for mortgage before entering into purchasing formalities.

7.5 Special Provisions bound by the Purchasers (for flats under SMS of the HKHS)

Newly Purchased Flats purchased in the SMS (including FFSS and SSFP and DRE SSFP) shall be used, assigned or let in accordance with the HKHS requirements and the relevant application criteria. The main conditions are:

7.5.1 Use: The Newly Purchased Flat shall be used only for residential purposes and for occupation by the purchaser and the family member(s) listed in the application form. Only the spouse and child(ren) aged under 18 of the owner or joint-owner are allowed to add to the household register of the flat in future.

7.5.2 Assigning or letting for flats specified in the developments of FFSS and SSFP in Table 1 of Appendix 3:

(a) **A TDP holder must undertake that within two years from the date of the assignment of the Newly Purchased Flat, the Newly Purchased Flat cannot be sold under the SMS.** Within the restriction period, owner can only sell the Newly Purchased Flat in the open market by payment of premium.

(b) In the Letter of Agreement to be submitted according to paragraph 7.2(a)(v) above, the purchaser(s) shall agree to adopt and abide by the provisions regarding the periods of 5-year and 2-year resale restrictions and the method of fixing the buy-back price contained in paragraphs 1(1) and 1(2) of the Waiver Letters (if any) and paragraphs (2) and (3) of the Supplemental Waiver Letters (if any) issued by the Director of Lands including the calculation of buyback price mentioned in sub-paragraph 7.5.2(c)(i) below.

(c) The purchaser(s) shall agree to adopt and abide by the provisions regarding the periods of 5-year and 2-year resale restrictions. If the purchaser(s) wish to assign or let their flat, he / she must follow the procedures of the HKHS as follows:

i. Before the expiry of 5 years from the date of First Assignment: The purchaser shall notify the HKHS in writing to sell the flat back to HKHS, the HKHS has absolute right to purchase the flat back. The buyback price is calculated on the basis of original purchase discount. The calculation of the market value, will be made reference to the transaction price of similar developments. Besides, The HKHS will deduct from the buyback price any amount unpaid and interests under the approved mortgage and other deductible amounts as specified in the relevant Government Land Grant, Modification Letter(s) and Waiver Letter(s) issued by the Lands Department. Under the current HKHS's policy, the HKHS would not accept any offer for sell-back of a flat under FFSS and SSFP.

If any event that HKHS is not desirous of purchasing the property within 28 days of receiving the owner's notice of sale, the owner may sell or otherwise dispose of the property in the open market subject to payment to Government a sum of money equal to the proportion on the full market value of the property as specified in the Deed of Assignment, and was not paid by the purchaser at the time of the assignment to the owner (refer to the calculation in the sub-paragraph (iv) below).

ii. After the expiry of 2 years from the date of First Assignment: The purchaser may sell his / her flat in the SMS to eligible persons confirmed by the HKHS without payment of premium.

iii. After the expiry of 5 years from the date of First Assignment: The purchaser may sell the flat in the SMS in accordance with subparagraph (ii) above, or assign or let the flat in the open market after payment of a premium calculated in accordance with sub-paragraph (iv) below. Under the current policy, the HKHS would not accept any offer for sell-back of a flat in respect of which the 5-year alienation restriction period has elapsed.

iv. The premium which the purchaser must pay prior to assigning or letting his / her flat as referred to in sub-paragraphs (i) and (iii) above is assessed on the basis of the prevailing unrestricted full market value of the flat and the initial market value and the purchase price (Note 7) of the flat stated in the First Assignment or, for resale flats sold to the purchasers by the HKHS, in the Last Assignment between the HKHS and the purchaser by applying the following formula. In other words, the premium payable is calculated by converting the discount in the original purchase price (Note 7) into its current value:

$$\text{Premium} = \text{Prevailing Market Value} \times \frac{\text{Initial Market Value} - \text{Purchase Price}^{\text{(Note 7)}}}{\text{Initial Market Value}} \times 100\%$$

Note 7 : For flats of Broadview Garden of HKHS purchased by means of "immediate mortgage" in HOS Phase 12B, the purchase price refers to the regular price stated in the Deed of Assignment and not the actual sale price.

7.5.3 Assigning or letting for flats specified in the developments of SSFP and DRE SSFP in Table 2 of Appendix 3:

(a) **A TDP holder must undertake that within two years from the date of the assignment of the Newly Purchased Flat, the Newly Purchased Flat cannot be sold under the SMS.** Within the restriction period, owner can only sell the Newly Purchased Flat in the open market by payment of premium subject to the relevant resale restrictions on an individual flat basis.

(b) The purchaser(s) shall agree to adopt and abide by the provisions regarding the restriction period as calculated from the date of the First Assignment in accordance with the provisions of the relevant Government Land Grant, Modification Letter(s) and Waiver Letter(s) issued by the Lands Department. If the purchaser(s) wish to assign or let their flat, he/she must follow the procedures of the HKHS as follows:

i. <u>Before the expiry of 5 years from the date of First Assignment:</u> The purchaser may sell his/her flat in the SMS to eligible persons confirmed by the HKHS without payment of premium at a price not more than the price of the flat sold by HKHS to the purchaser as specified in the First Assignment.

ii. <u>After the expiry of 5 years from the date of First Assignment:</u> The purchaser may sell his/her flat in the SMS to eligible persons confirmed by the HKHS without payment of premium.

iii. <u>After the expiry of the restriction period as calculated from the date of First Assignment:</u> The purchaser may assign or let the flat in the open market after payment of a premium calculated in accordance with subparagraph (iv) below.

iv. The premium which the purchaser must pay prior to assigning or letting his/her flat as referred to in sub-paragraph (iii) above is assessed on the basis of the prevailing unrestricted full market value of the flat and the initial market value and the purchase price of the flat stated in the First Assignment by applying the following formula.

$$\text{Premium} = \text{Prevailing Market Value} \times \frac{\text{Initial Market Value} - \text{Purchase Price}}{\text{Initial Market Value}} \times 100\%$$

7.5.4 Mortgage : The purchaser may secure a first mortgage to cover the balance of the purchase price of the flat in accordance with provisions of the relevant Government Land Grant, Modification Letter(s) and Waiver Letter(s) issued by the Lands Department. Except with the prior approval from the HKHS and in conformity with the conditions imposed by HKHS and set out in the concerned relevant Government Land Grant, Modification Letter(s) and Waiver Letter(s) issued by the Lands

Department, the purchaser prior to payment of premium as mentioned in the preceding paragraph 7.5.2(c)(iv) and 7.5.3(b)(iv) shall not secure any other form of mortgage or increase the amount of the mortgage loan.

7.5.5 Mortgage arrangement : The purchaser may also secure a loan from the staff housing loan scheme provided by his / her employer as the first / second mortgage to cover the balance of the purchase price, provided that prior written consent from the HKHS has been obtained and the legal charge shall be in such form and containing such provisions as HKHS shall approve or require.

7.6 Special Provisions bound by the Purchasers (for flats under HOS Secondary Market Scheme of HA)

Flats purchased in the HOS Secondary Market Scheme shall be used, assigned or let in accordance with the terms and conditions of the Housing Ordinance or the relevant Government Land Grant, Modification Letter(s) or Waiver Letter(s) issued by the Lands Department and the relevant application criteria. The main conditions are:

7.6.1 Use: The flat shall be used only for residential purposes and for self-occupation by the purchaser and the family member(s) listed in the application form. Only the spouse and child(ren) aged under 18 of the owner or joint-owner are allowed to add to the household register of the flat in future.

7.6.2 Assigning or letting:

(a) Within two years from the date of the assignment of the flat purchased by the buyers in the HOS Secondary Market, the flat cannot be sold under the HOS Secondary Market Scheme of the HA. Owners shall not apply for the CAS for the flat from the HA during the restriction period. The HA will not issue any CAS to the owner of the flat within the restriction period.

(b) For flats sold subject to the Schedule under Housing Ordinance, the purchaser may offer to sell the flat back to the HA. If the HA declines the offer, the HOS owner is free to assign or let the flat in the open market after payment of a premium calculated in accordance with sub-paragraph (e) below. **Please note that the HA has since 2007 ceased to accept any offer to sell the HOS flats to the HA.**

(c) The purchaser may without being required to pay a premium sell the flat in the HOS Secondary Market Scheme to the eligible applicants confirmed by the HA (from the third year from the date of the first assignment for flats sold subject to the Schedule under Housing Ordinance; and from the date of the first assignment for other flats).

(d) After a specified period (5 years for flats sold subject to the Schedule under Housing Ordinance, and 10 years or 15 years for other flats as required under the respective Government Land Grant, Modification Letter(s) and Waiver Letter(s) issued by the Lands Department) from the date of the first assignment, the purchaser may assign or let the flat in the open market after payment of a premium calculated in accordance with sub-paragraph (e) below.

(e) The premium which the purchaser must pay prior to assigning or letting his / her flat in the open market as referred to in sub-paragraphs (b) and (d) above is assessed on the basis of the prevailing unrestricted full market value of the flat and the Initial Market Value and the Purchase Price (Note 8) of the flat stated in the first assignment or, for resale flats, in the last assignment from HA to a purchaser by applying the following formula. In other words, the premium payable is calculated by converting the discount in the original purchase price into its current value:

$$\text{Premium} = \text{Prevailing Market Value} \times \frac{\text{Initial Market Value} - \text{Purchase Price}}{\text{Initial Market Value}} \times 100\%$$

Note 8 : For flats purchased by means of an "immediate mortgage" in HOS Phases 13B to 16B and flats purchased under the TPS, the purchase price refers to the list price stated in the Deed of Assignment but not the actual sale price.

(f) Any unlawful alienation or letting or parting with possession of the flat purchased under HOS Secondary Market Scheme or any agreement for such alienation letting or purported letting or parting with possession shall be void. Any person having committed such act(s) has committed an offence and is liable to a fine of HK$500,000 and to imprisonment for one year.

7.6.3 Mortgage — The purchaser may secure a first mortgage to cover the balance of the purchase price of the flat in accordance with conditions mentioned in Item 7.4 above. Except with the approval of the Director of Housing, the purchaser prior to payment of premium as mentioned in the preceding paragraph 7.6.2(e) shall not secure any other form of mortgage financing or refinancing, including increasing the amount of the mortgage loan.

After purchase of a flat under the HOS Secondary Market Scheme, should the purchaser(s) mortgage the flat to the participating bank or financial institution which entered into the DoG with the HA and if default on mortgage payments before paying off the mortgage loan, the participating bank or financial institution concerned will sell the flat. Should the sale proceeds of the flat fail to cover the full outstanding balance of the mortgage and all the interest, legal costs, administration fees, etc. payable under the mortgage, the participating bank or financial institution will, pursuant to the DoG, make a claim against the HA for the payment of all the above arrears that the purchaser(s) owe. The HA shall under the DoG pay the same to the participating bank or financial institution. In relation to the payments made by the HA to the participating bank or financial institution, the HA will then recover such payments and the interest from the purchaser(s).

8. Validity and Revocation of Certificate(s)

8.1 There is no expiry date for the TDP, CAS and CEP under the FFS.

8.2 **The TDP and CEP are non-transferable or non-inheritable and applicable to the holder(s) only.** In the event of any holder(s) of the said TDP / CEP passing away before execution of any PASP to acquire a Newly Purchased Flat under the FFS, the said TDP / CEP shall be null and void.

In case the TDP is jointly held by more than one holders (other than where the TDP or the Original Flat is jointly held by tenants in common) and any one of the holder(s) passes away before the execution of any PASP to acquire a Newly Purchased Flat under the FFS, the surviving TDP holder(s) may continue to use the TDP. Upon the passing of all the TDP holders, the TDP shall be null and void.

8.3 Except for the Original Flat, the TDP and CEP will be void if the applicant(s) and/or any listed family member(s) owned or co-owned any domestic property in Hong Kong or any interest in such kind of property, during the period from 24 months preceding the date of signing the application form for TDP and up to the date of signing the PASP of the Newly Purchased Flat, even if the property is subsequently sold during the said period.

9. Important Notes

9.1 Under what circumstances shall a re-application required after the issuance of the certificate(s)?

(a) If the owner(s) transfer ownership of the Original Flat after being obtaining TDP and CAS, the respective owner(s) must **re-apply** for a CAS and pay the necessary fee again before selling the Original Flat.

Please note: if TDP holder transfers ownership of the Original Flat after the issuance of TDP (excluding the case of sale of the Original Flat under FFS), HKHS may require the applicant to submit a fresh TDP application (as the case may be). If such transfer of ownership renders the TDP holder and/or the listed family member(s) ineligible, HKHS reserves the right to revoke the TDP (as the case may be). HKHS shall not be responsible for any loss suffered by the TDP holder(s).

(b) If a transaction is rescinded after the signing of the PASP or upon the issue of LN but both parties still wish to make a transaction in the Secondary Market, they **must re-apply** for a fresh CAS / CEP from HKHS / HA and pay the relevant fees.

9.2 What fees are incurred when completing the flat purchase conveyancing?

Apart from the application fees payable to HKHS and/or HA as mentioned above, the purchaser and seller, just as in the execution of any assignment in the open market, are required to pay their respective fees as follows:

(a) Stamp duty, which is calculated on the basis of the market value assessed by the RVD for the purpose of collecting stamp duty. It is not based on the purchase price of the flat;
(b) Registration fee for registration of the deeds in the Land Registry;
(c) Legal fees charged by the solicitors with respect to the flat; and
(d) The estate agent's commission (if the transaction is negotiated through an estate agent).

If the purchaser requires a mortgage loan to finance the purchase of the flat, he / she is also required to pay:
(e) The fee for registration of the mortgage deed in the Land Registry; and
(f) Legal fee of the mortgagee's solicitor for arranging for the mortgage loan.

9.3 Providing or Making any False, Inaccurate or Misleading Information

〔Applicable to the TDP / CAS / "Certificate of Eligibility to Purchase" (Flat for Flat Scheme for Elderly Owners) / LN issued by HKHS〕

(a) Any application(s) which is found to contain false or inaccurate or misleading information shall be cancelled, that any approval given on the basis of the false or inaccurate or misleading information shall be null and void, and that all monies thus paid shall be forfeited. The decision of the Chief Executive Officer and Executive Director of HKHS shall be final as to whether any such statement or application is false.

(b) If any approval is found to be obtained on the provision of information, statement or representation that is false or inaccurate or misleading, HKHS will revoke the granted approval and hold the person liable for any loss and liability resulting thereof.

(c) Any person who induces or causes HKHS to approve the relevant eligibility or causes the owner to carry out the trade down sale and purchase transaction by any deception or dishonest means (including the provision of false or inaccurate or misleading information or statement(s) or representation in the application form) could be held criminally liable for, among other crimes, fraud under Section 16A of the Theft Ordinance (Cap. 210), false statutory declarations and other false statements without oath under Section 36 of the Crimes Ordinance (Cap. 200), and be punishable by imprisonment once convicted.

〔Applicable to the CAS / "Certificate of Eligibility to Purchase" (White Form Status) / LN issued by HA〕

(d) Under Section 26(2) of the Housing Ordinance (Cap. 283), any person who makes any statement to the HA in respect of any matter relating to the purchase of a subsidised sale flat (which shall include a flat in the HOS Secondary Market Scheme) or in providing any information to HA in respect of such matter, which he knows to be false or misleading as to a material particular shall be guilty of an offence and liable on conviction to a fine of HK$500,000 and imprisonment for 1 year. According to Section 26A of the Housing Ordinance (Cap. 283) in relation to the purchase of such flat by him, the Court shall order either (a) that the flat purchased by the offender, be transferred to the HA or the HA's nominee; or (b) the offender forfeit to the HA a sum equivalent to the difference between the purchase price and the market value of the flat without any restriction as to alienation as at the date of the conviction.

(e) If the court convicts another person under Section 26(2) of the Housing Ordinance (Cap. 283) in connection with the purchase of a subsidised sale flat (which shall include a flat in HOS Secondary Market) by the purchaser, the Court may, according to Section 26B of the Housing Ordinance (Cap. 283), order either (a) that the flat be transferred to the HA or the HA's nominee; or (b) the purchaser to forfeit to the HA a sum equivalent to the difference between the purchase price and the market value of the flat without any restriction as to alienation as at the date of the order.

(f) According to Section 22 of the Housing Ordinance (Cap.283), staff of HD are empowered to enter and inspect the flat. Pursuant to Section 29 of the Housing

Ordinance (Cap. 283), any person who obstructs staff of HD in the exercise of any power or the performance of any duty conferred or imposed under the Housing Ordinance shall be guilty of an offence and liable on conviction to a fine at level 3 as specified in Schedule 8 of the Criminal Procedure Ordinance (Cap.221) and to imprisonment for 6 months. According to Section 25 of the Housing Ordinance (Cap.283), staff of HD are empowered to require the owner or occupier of the flat to provide specified particulars. Any owner or occupier who refuses to provide the particulars required shall be guilty of an offence and liable on conviction to a fine at Level 4 (Note 9) as specified in the same Schedule 8 and to imprisonment for 3 months; any owner or occupier who knowingly makes a false statement furnishing the particulars required shall also be guilty of an offence and liable to a fine at Level 5 (Note 9) as specified in the same Schedule and to imprisonment for 6 months.)

Note 9 : As at the date of compilation of this Application Guide, the maximum fines at Level 3, Level 4 and Level 5 are HK$10,000, HK$25,000 and HK$50,000 respectively.

9.4 Notes concerning the Collection of Personal Data

(a) The personal data contained in the application form is used by HKHS and/or HA for processing the applications for TDP / CEP / CAS / LN under the Secondary Market and FFS or Government Land Grant related issues (including but not limited to preventing applicant and his / her listed family member(s) from enjoying double housing benefits). The information provided may also be used by HKHS, HA and HD and relevant Government bureaux / departments for conducting statistical surveys and researches and to contact the applicants for such purposes. The personal data in the application form, including the declaration by the applicant and his / her listed family member(s) authorising the collection and comparison / checking / transferring their personal data, are provided by the applicant and his / her listed family member(s) on a voluntary basis. However, if insufficient information is provided, the HKHS, HA and/or HD may not be able to process the application. In that case, the application fee paid will not be refunded and cannot be transferred.

(b) The personal data provided by the applicant and his / her listed family member(s) in the application form will be used by the HKHS, HA and HD for the processing of the application under the Secondary Market and FFS and for the purpose of carrying out the checking / verification and matching procedures. Such procedures include: (a) vetting the application and determining the eligibility of the applicant and his / her listed family member(s), (b) checking whether the applicant and his / her listed family member(s) have applied for other subsidised housing schemes, (c) giving approval to the applications under the Secondary Market, and handling any subsequent changes in family circumstances, property ownership, mortgage arrangements, sale of property etc., (d) the data are also used to prevent the purchaser and his / her listed family member(s) (including their spouses) from participating in any other subsidised housing scheme administered by the HKHS / HA / Urban Renewal Authority in future and (e) preventing applicant and his / her listed family member(s) from enjoying double housing benefits (whether before or after the sale and purchase of the Original Flat and the Newly Purchased Flat).

(c) When assessing the eligibility to apply and purchase of the applicant and his / her listed family member(s), the HKHS, HA or HD may compare and match the personal data provided in the application form with the relevant personal data collected (manually or otherwise) for other purposes in order to ascertain whether such information is false or misleading, and may take appropriate action against the person(s) concerned on the basis of the result of the data comparison and matching. The applicant and his / her listed family member(s) should also authorise the HKHS, HA and HD to disclose, verify and match the information concerned with other Government bureaux / departments, public / private organizations / companies. Furthermore, the applicant and his / her listed family member(s) should agree that any Government bureaux / departments, public / private organizations / companies may disclose the applicant's and his / her listed family members' personal data in their possession to the HKHS, HA and HD for the purpose of comparing and matching the information provided in the application form. The personal data provided may also be used by HKHS, HA and HD and relevant Government bureaux / departments for conducting statistical surveys and researches. The applicant and his / her listed family member(s) should also agree that the information provided will be passed to the HKHS / HA / 1823 hotline for answering his / her enquiries.

(d) The HKHS and its authorised officers, while collecting the personal data required for the verification of such contained in the application form, may for the purpose of processing the application(s) under the Secondary Market and FFS or its direct related usage, transfer the personal data on the application form to other divisions / offices of HKHS, other service providers, relevant Government bureau / departments (including but not limited to the Housing Bureau, HD, Lands Department and RVD), public / private organizations / companies and any other third party in possession of the personal data of the applicant and his / her listed family member(s). Personal data contained in the application form(s) / TDP / CEP / CAS / LN may be disclosed to the relevant Government bureaux / departments, public / private organizations / companies and any other related third party.

(e) For the purposes stated above, the HKHS, HA and HD may disclose the personal data provided by the applicant and his / her listed family member(s) in the application form / TDP / CEP / CAS / LN to other Government bureaux / departments, relevant public / private organizations / companies to check such data with these parties.

(f) The personal data provided in the application form are for application(s) under the Secondary Market and FFS. Pursuant to the Personal Data (Privacy) Ordinance (Cap. 486), the applicant and his / her listed family member(s) are entitled to request for access to and/or correction of the personal data in the application form. Any such requests can be directed:

i. by post or by fax (Fax No. : 2811 8700) to the Senior Manager, Planning and Development Section, Hong Kong Housing Society, G/F., Dragon Centre, 23 Wun Sha Street, Tai Hang, Hong Kong, or
ii. by post or by fax (Fax No. : 2761 6363) to the Departmental Data Protection Officer of the HA Headquarters, 33 Fat Kwong Street, Kowloon.

A fee may be charged for such requests.

9.5 Enquiries and Contact

(a) For enquiries, please contact the following during office hours
i. 8102 0889 (Flat for Flat Scheme for Elderly Owners / TDP application);
ii. 2839 7373 (HKHS FFSS Secondary Market Scheme Support Unit – CAS / CEP / LN application);

iii. 3162 0680（HA HOS Secondary Market Scheme Unit – CAS / CEP / LN application); or

(b) Visit website

i. HKHS website (https://www.hkhs.com/en/application/flat-for-flat-scheme-for-elderly-owners); or

ii. HA website (https://www.housingauthority.gov.hk).

9.6 Others

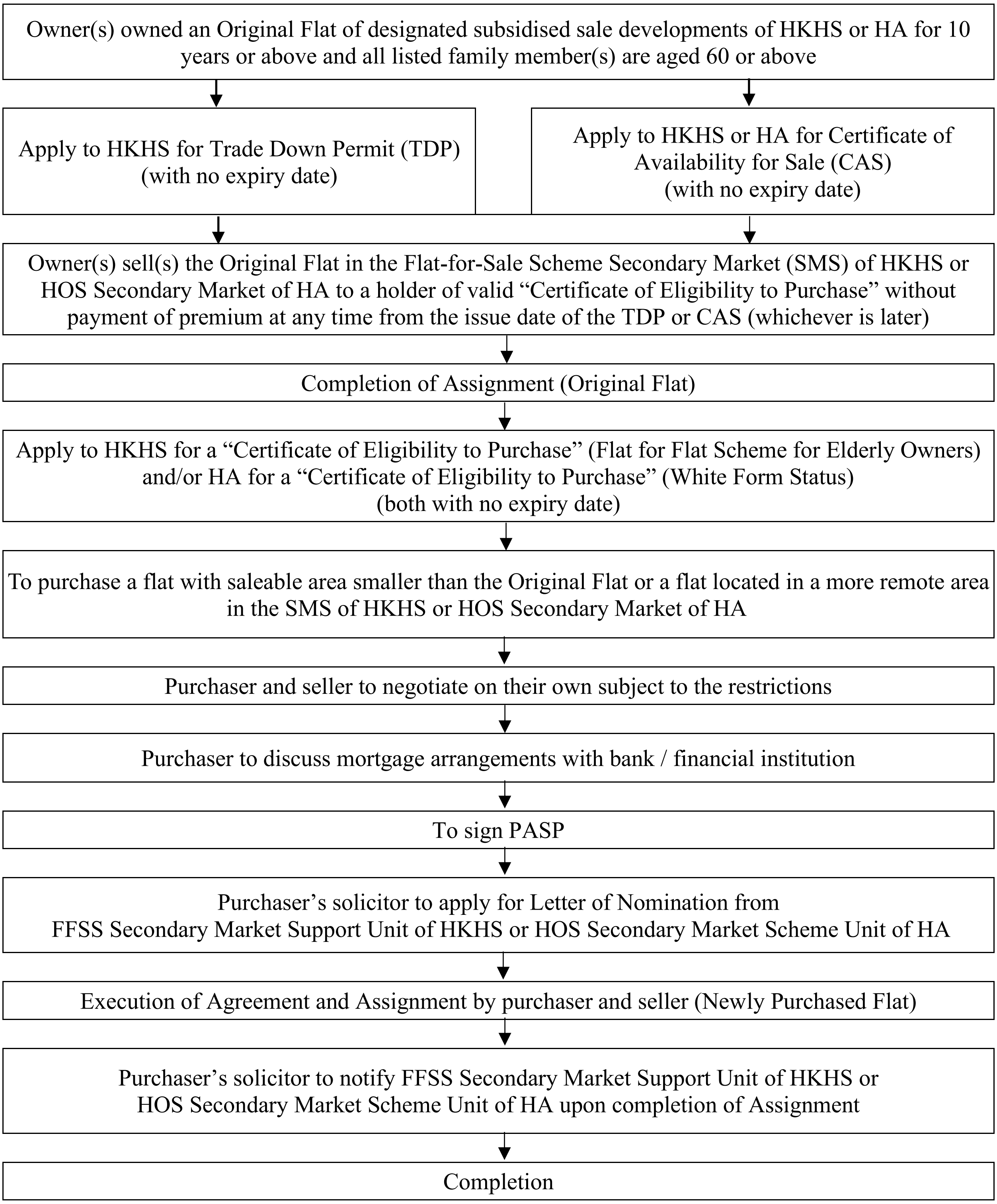
(a) Applicants should note that the only payment required by the HKHS or HA for processing TDP / CEP / CAS / LN application(s) under the Secondary Market and FFS is the application fee. If applicants are approached by any person who offers to assist in their application in return for remuneration, whether monetary or otherwise, they should report immediately to the Police, the Independent Commission Against Corruption ("ICAC"), the HKHS or HA. Furthermore, it is an offence for any person to offer any bribe of inducement to staff of HKHS or civil servant. Any such attempt will result in the application concerned being cancelled, and legal action may be taken by ICAC or the Police.

(b) This application guide and the application forms and its contents are not legally binding on HKHS. HKHS shall not be liable for any loss suffered by any person arising out of his/her reliance on this application guide and/or the application forms.

(c) The HKHS and/or HA reserves the right to amend, correct or revise this application guide and/or any content in the application forms without prior notification.

Appendix 1

Mode of Operation for Flat for Flat Scheme for Elderly Owners



The above workflow is provided for reference only. For details, please refer to this Application Guide. HKHS reserves the right to revise the workflow and related procedures at any time without prior notice.

Appendix 2

Applicants who wish to submit application(s) under the FFS are required to pay the relevant application fee(s) to HKHS and/or HA in accordance with this appendix and the latest fee schedule announced by HA from time to time.

Application Fees of HKHS under the FFS

Applications	Application Fees (HK$)
TDP	$500
CAS	$1,000
CEP	$900
LN	$1,150

Notes:

- Application fee(s) must be paid by a crossed cheque or a cashier's order only, payable to **"Hong Kong Housing Society"**. Cash, gift cheque, post-dated cheque, bank draft or E-cheque are not accepted.
  (**Note:** for LN applications, payment must be by a cheque issued and signed by a solicitors' firm or a cashier's order.)
- The applicant's name must be written on the back of the cheque or cashier's order.
- Application fee(s) must follow the latest fee schedule. Any application will be cancelled if payment is dishonoured.
- HKHS may revise the above application fee(s) at any time and from time to time without prior notice.
- HKHS reserves the right to reject ineligible application(s) upon vetting. All fees paid are non-refundable and non-transferable under any circumstances.
- For CEP applications, separate application(s) must be submitted to HKHS and/or HA, depending on the category of flat intended to be purchased, with separate application fee for each CEP.

Application Fees of HA under the FFS

For the latest fee schedule for CAS / CEP / LN, please contact the HOS Secondary Market Scheme Unit of HA at 3162 0680 or visit the HA website: (https://www.housingauthority.gov.hk).

Appendix 3

Table 1

Designated Developments under Flat-for-Sale Scheme of HKHS

District	Area	Developments	Completion Date
Urban	Eastern	Healthy Village (Phases 1 & 2)	1993 / 1997
	Kowloon City	Ka Wai Chuen (Phases 3 & 4)	1990 / 1993
	Sham Shui Po	Cronin Garden	1995
	Wong Tai Sin	Kai Tak Garden (Phases 1 & 2)	1998 / 2001
Extended Urban	Tsuen Wan	Clague Garden Estate	1989
	Tsuen Wan	Bo Shek Mansion	1996
	Kwai Tsing	Broadview Garden	1991
	Tseung Kwan O	Verbena Heights	1997
New Territories	Sai Kung	Lakeside Garden	1997
	Tuen Mun	Kingston Terrace	2002

Designated Developments under Subsidised Sale Flats Project completed before 2024 of HKHS

District	Area	Developments	Completion Date
Extended Urban	Kwai Tsing	Greenview Villa	2015
	Sha Tin	Greenhill Villa	2020
	Tseung Kwan O	Mount Verdant	2019
New Territories	Tuen Mun	Terrace Concerto	2020

Table 2

Development(s) under Dedicated Rehousing Estates Subsidised Sale Flats Project of HKHS

District	Area	Developments	Completion Date
New Territories	Yuen Long	Eminence Terrace I	2024
	North	Sierra Terrace	2025