



**“Letting Scheme for Subsidised Sale Developments with Premium Unpaid”
Declaration and Undertaking of Applicant holding
“Certificate of Participation - Tenant (White Form)” (Pilot Scheme)**

To: Hong Kong Housing Society (hereinafter referred to as “HKHS”)

Name of the Applicant : _____
Application Number : _____
“Certificate of Participation - Tenant
(White Form)” Number : _____

I, being the undersigned applicant, hereby confirm that

1. I understand as the holder of “Certificate of Participation – Tenant (White Form)” (the certificate is hereinafter referred to as “Tenant Certificate (White Form)” and the holder is hereinafter referred to as “Tenant Certificate (White Form) Holder”), I am permitted to participate in the “Letting Scheme for Subsidised Sale Developments with Premium Unpaid” (hereinafter referred to as “the Scheme”).
2. I acknowledge and undertake to comply with the terms and conditions stated in this “Declaration and Undertaking”.
3. I acknowledge that HKHS has the right to revise (including addition and/or deletion) any terms and conditions of this “Declaration and Undertaking” on request from the government authority without further notice and undertake to be bound by such terms and conditions as revised by HKHS from time to time ¹.
4. I acknowledge and agree that HKHS will provide the information stated on the Tenant Certificate (White Form) and tenancy agreement signed by me (excluding personal data) to the public for reference. For instance,

Tenant Certificate (White Form)	Tenancy Agreement
• Certificate Number; • Date of Issuance; • Date of Expiration; and • The state of use.	• The commencement date and expiration date of the tenancy agreement; • The housing estate; • Floor (e.g. high/middle/low floor); • Rented area (i.e. entire flat); and • Monthly rent.

5. I acknowledge that if I contravene any terms and conditions in this “Declaration and Undertaking” (including subsequent revision(s) by HKHS from time to time), HKHS has the right to revoke the Tenant Certificate (White Form) previously issued to me and reserves the right to claim any loss arising out of

¹ The latest revised version of the relevant terms and conditions in the future may be downloaded at the designated website of the Scheme: lettingscheme.hkhs.com or collected at HKHS Applications Section (G/F, Dragon Centre, 23 Wun Sha Street, Tai Hang, Hong Kong).

such contravention. In respect of the revocation of the Tenant Certificate (White Form), HKHS has the right to notify the owner of the relevant flat and relevant government departments, government bureaux (including but not limited to Housing Bureau (hereinafter referred to as “HB”)), operating organisations of subsidised housing projects/schemes (including but not limited to Transitional Housing/ Light Public Housing (hereinafter referred to as “LPH”) recognised by HB). HKHS shall not be responsible for any loss suffered by me.

6. I acknowledge that HKHS had advised me to, and I understand that I should carry out on-site inspection and confirm the relevant property suits the needs of myself and my family member(s) before considering signing a tenancy agreement.
7. I acknowledge that the subsidised sale flats under the Scheme are subject to (i) the Housing Ordinance (applicable to Hong Kong Housing Authority (hereinafter referred to as “HA”)’s subsidised sale flats), (ii) the “Nomination Certificate” issued by HA (applicable to HA’s subsidised sale flats), (iii) the “Nomination Certificate” issued by HKHS (applicable to HKHS’s subsidised sale flats), (iv) the relevant Government Land Grant (including Modification Letter(s) and Waiver Letter(s)), (v) terms and conditions (including subsequent revision(s) by HKHS from time to time) contained in the “Declaration and Undertaking” signed by holder of “Certificate of Participation – Owner” (hereinafter referred to as “Owner Certificate” and the holder is hereinafter referred to as “Owner Certificate Holder”) and Tenant Certificate (White Form) Holder, and (vi) the terms and conditions as stipulated by the government authority in respect of the Scheme from time to time. In the event of any controversies or inconsistencies between certain or all of the terms and conditions contained in the above “Declaration and Undertaking” and the terms and conditions as stipulated by the government authority in respect of the Scheme from time to time, then those terms and conditions as stipulated by the government authority in respect of the Scheme from time to time shall prevail over certain or all of the terms and conditions stated in these “Declaration and Undertaking”.
8. I acknowledge that if the relevant subsidised sale flat is a HKHS’s subsidised sale flat, the relevant flat shall also be subject to the terms and conditions of the relevant Waiver Letter(s) issued by the Lands Department in respect of the Scheme, Lands Department is entitled to terminate or revoke the relevant Waiver Letter(s) at any time in accordance with the terms contained in the relevant Waiver Letter(s). If the Lands Department terminates or revokes the relevant Waiver Letter(s) in respect of the said flat, HKHS will also revoke the Owner Certificate previously issued to the owner. HKHS shall not be liable for any loss suffered by me and/or my family member(s). In any circumstances where the relevant Waiver Letter is revoked, I and my family member(s) undertake not to claim for any compensation from the government or HKHS.
9. I understand that the Owner Certificate will be invalid in case of any ownership change of the flat. I understand that I should verify the identity of the current owner(s) of the flat and HKHS has reminded me to do so, before entering into a tenancy agreement in respect of the relevant flat. I understand that HKHS shall not be held responsible for any expenses, losses or liabilities incurred by me due to my entering into any tenancy agreements.

Terms and Conditions

1. The Tenant Certificate (White Form) Holder and his/her family member(s) who exercise and use the Tenant Certificate (White Form) are subject to the terms and conditions (including subsequent revision(s) by HKHS from time to time) of this “Declaration and Undertaking”. The subsidised sale flats under the Scheme are subject to (i) the Housing Ordinance (applicable to HA’s subsidised sale flats), (ii) the “Nomination Certificate” issued by HA (applicable to HA’s subsidised sale flats), (iii) the “Nomination Certificate” issued by HKHS (applicable to HKHS’s subsidised sale flats), (iv) the relevant Government Land Grant (including Modification Letter(s) and Waiver Letter(s)), (v) terms and conditions (including subsequent revision(s) by HKHS from time to time) contained in the “Declaration and Undertaking” signed by each of Owner Certificate Holder and Tenant Certificate (White Form) Holder, and (vi) the terms and conditions as stipulated by the government authority in respect of the Scheme from time to time. In the event of any controversies or inconsistencies between certain or all of the terms and conditions contained in the above “Declaration and Undertaking” and the terms and conditions as stipulated by the government authority in respect of the Scheme from time to time, then those terms and conditions as stipulated by the government authority in respect of the Scheme from time to time shall prevail over certain or all of the terms and conditions stated in these “Declaration and Undertaking”.
2. The Tenant Certificate (White Form) Holder shall not assign or sell his/her interests in the Tenant Certificate (White Form) to a third party (including his/her family member(s)).
3. HKHS reserves the right to review whether the Tenant Certificate (White Form) Holder remains eligible for the Scheme at any time. The Tenant Certificate (White Form) Holder shall provide HKHS with information and related documents as requested by HKHS for review purposes. Upon receipt of a notice issued by HKHS, the Tenant Certificate (White Form) Holder shall allow HKHS, its representatives, HA or its representatives to enter the rented flat for internal inspection. If the Tenant Certificate (White Form) Holder fails to pass the review, HKHS has the right to revoke the Tenant Certificate (White Form) held by him/her, and notify the owner of the relevant flat and relevant government departments, government bureaux (including but not limited to HB), operating organisations of subsidised housing projects/schemes (including but not limited to Transitional Housing/LPH recognised by HB) of the relevant review results. HKHS shall not be responsible for any loss suffered by the Tenant Certificate (White Form) Holder.
4. Subject to the acceptance and compliance with the terms and conditions of this “Declaration and Undertaking” and (i) the relevant Government Land Grant (including Modification Letter(s) and Waiver Letter(s)) and (ii) the Housing Ordinance (applicable to HA’s subsidised sale flats), Tenant Certificate (White Form) Holder may negotiate with and rent the subsidised sale flat as listed on the Owner Certificate from owner(s) holding a valid Owner Certificate under the Scheme, in accordance with the following situations:
 - 4.1 Tenant Certificate (White Form) Holder can only rent the entire flat from Owner Certificate Holder.

- 4.2 If it is specified on the relevant Owner Certificate that the flat is a HA's subsidised sale flat, Tenant Certificate (White Form) Holder must apply to HA for a "Nomination Certificate"² for renting the flat in accordance with the regulations of HA, and must enter into the tenancy agreement with the said Owner Certificate Holder only after obtaining the "Nomination Certificate" from HA. (Under no circumstance does HKHS guarantee that Tenant Certificate (White Form) Holder can obtain a "Nomination Certificate" issued by HA successfully).
- 4.3 If it is specified on the relevant Owner Certificate that the flat is a HKHS's subsidised sale flat, Tenant Certificate (White Form) Holder must apply to HKHS for a "Nomination Certificate"³ for renting the flat. Tenant Certificate (White Form) Holder must enter into the tenancy agreement with the said Owner Certificate Holder only after obtaining the "Nomination Certificate" from HKHS. (Under no circumstance does HKHS guarantee that the Tenant Certificate (White Form) Holder can obtain a "Nomination Certificate" successfully.)
- 4.4 The relevant Tenant Certificate (White Form), Owner Certificate and "Nomination Certificate" must remain valid as at the date of the signing of the tenancy agreement⁴ and throughout the term of tenancy agreement.
- 4.5 If Tenant Certificate (White Form) Holder enters into the tenancy agreement with Owner Certificate Holder, the prescribed tenancy agreement of the Scheme shall be used (applicable to the prevailing latest version)⁵.
5. Tenant Certificate (White Form) Holder must not enter into tenancy agreement under the Scheme with overlapping tenancy periods.
6. The commencement date of the term of the tenancy agreements shall fall no earlier than the date of issuance of the Tenant Certificate (White Form) and no later than one (1) year after such issuance date (i.e. "the Date of Expiration").
7. After signing the tenancy agreement, the Tenant Certificate (White Form) Holder shall complete and sign the "Notice of Execution of the Tenancy Agreement (For Holder of "Certificate of Participation – Tenant")"⁶ prepared by HKHS, and within 2 weeks submit online or post the said notice to HKHS Applications Section. Please indicate "Letting Scheme for Subsidised Sale Developments with Premium Unpaid" and the application number on the cover of the envelope.

² Regarding the application form and application guide of HA's "Nomination Certificate", please call 3162 0666 or attend the Home Assistance Loan Unit (address: Room 202, 2/F, Lung Cheung Office Block, 138 Lung Cheung Road, Wong Tai Sin, Kowloon, Hong Kong) for enquiry. Tenant Certificate (White Form) Holders can also download the application form at <https://www.housingauthority.gov.hk/en/common/pdf/global-elements/forms/general-information/HD1142.pdf>, or fill in and submit online application immediately at <https://eform.cefs.gov.hk/form/hou065/en/>.

³ Regarding the application form and application guide of HKHS's "Nomination Certificate", please call 8108 0678 or attend HKHS Applications Section (G/F, Dragon Centre, 23 Wun Sha Street, Tai Hang, Hong Kong) for enquiry. The application form can also be downloaded at the designated website of the Scheme: lettingscheme.hkhs.com or collected at HKHS Applications Section during the office hours.

⁴ Regarding the latest status of the Owner Certificate and Tenant Certificate (White Form), please visit the designated website of the Scheme: lettingscheme.hkhs.com or call the Scheme hotline 8108 0678 for enquiry.

⁵ The prescribed tenancy agreement can be downloaded at the designated website of the Scheme: lettingscheme.hkhs.com or collected at HKHS Applications Section (G/F, Dragon Centre, 23 Wun Sha Street, Tai Hang, Hong Kong) during office hours. HKHS reserves the right to revise the prescribed tenancy agreement without further notice.

⁶ The relevant notices can be filled in and submitted online at the "Owner and Tenant Information Sharing Platform" after login. They can also be downloaded at the designated website of the Scheme: lettingscheme.hkhs.com or collected at HKHS Applications Section (G/F, Dragon Centre, 23 Wun Sha Street, Tai Hang, Hong Kong).

8. If the Tenant Certificate (White Form) Holder decides to renew the tenancy agreement with the Owner Certificate Holder, the Tenant Certificate (White Form) Holder shall complete and sign the “Notice of Soon-To-Expire Tenancy Agreement (For Tenant)”⁶ prepared by HKHS, and at least 2 months before the expiration date of the tenancy agreement submit online or post the said notice to HKHS Applications Section. Please indicate “Letting Scheme for Subsidised Sale Developments with Premium Unpaid” and the application number on the cover of the envelope. HKHS will then vet the eligibility criteria of the Tenant Certificate (White Form) Holder again.
9. If Tenant Certificate (White Form) Holder and Owner Certificate Holder terminate the tenancy agreement before the expiration date of the tenancy agreement, Tenant Certificate (White Form) Holder shall within 2 weeks upon the issue/receipt of the relevant notice of termination of the tenancy agreement, complete and sign the “Notice of Early Termination of the Tenancy Agreement (For Holder of “Certificate of Participation – Tenant”)”⁶ prepared by HKHS, and submit online or post the said notice to HKHS Applications Section. Please indicate “Letting Scheme for Subsidised Sale Developments with Premium Unpaid” and the application number on the cover of the envelope.
10. The Tenant Certificate (White Form) Holder must be the tenant signing the tenancy agreement. The Tenant Certificate (White Form) Holder and family member(s) listed on the Tenant Certificate (White Form) must live in the rented flat during the tenancy period under the Scheme.
11. If at any time during the term of the tenancy, the Tenant Certificate (White Form) Holder and/or any family member(s) listed on the Tenant Certificate (White Form) confirm(s) acceptance of a LPH unit allocated by HB or Transitional Housing unit recognised by HB as a Category A tenant or Transitional Rental Housing unit provided by HKHS (T-Home) or a traditional Public Rental Housing (hereinafter referred to as “PRH”) flat allocated by HA/Housing Department or Rental Estate unit allocated by HKHS, or own(s)⁷ directly, indirectly or in any manner a domestic property in Hong Kong, the Tenant Certificate (White Form) Holder must serve to the Owner Certificate Holder a two (2) months’ notice to terminate the tenancy agreement within 14 days. If the Tenant Certificate (White Form) Holder fails to make a truthful declaration or fails to terminate the tenancy agreement in accordance with the above requirements, HA/Housing Department or HKHS is entitled to cancel the relevant traditional PRH flat or Rental Estate unit allocation or cancel/terminate the relevant traditional PRH flat or Rental Estate unit tenancy.
12. If the Tenant Certificate (White Form) Holder and/or any family member(s) listed on the relevant Tenant Certificate (White Form) has/have entered into any agreement (including provisional agreement) to

⁷ Applicant and/or his/her family member(s) will be regarded as owning directly or indirectly domestic properties in Hong Kong under any of the following circumstances:

- (i) owned or co-owned any domestic property in Hong Kong or any interest in such kind of property; or
- (ii) entered into any agreement which is still valid and subsisting (including preliminary agreement) to purchase any domestic property in Hong Kong; or
- (iii) 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
- (iv) been a beneficiary of the estate of any deceased person which includes any domestic property or land in Hong Kong; or
- (v) assigned any domestic properties in Hong Kong or any interest in such properties in Hong Kong (the date of assignment shall be the date of execution of the Deed of Assignment), or
- (vi) withdrawn from any company which owned any domestic property in Hong Kong in which the applicant/Family Member(s) of the family owned more than 50% of the shares.

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

purchase any domestic property in Hong Kong but the property concerned or the transaction has not been completed yet and the relevant assignment has not yet been executed, the Tenant Certificate (White Form) Holder shall not be obliged to serve on Owner Certificate Holder the 2 months' notice specified in paragraph 11 above to terminate the tenancy agreement but the Tenant Certificate (White Form) Holder shall, within 14 days from the date of execution of the Deed of Assignment of that domestic property serve on the Owner Certificate Holder a 2 months' notice in writing to terminate the tenancy agreement provided that the Tenant Certificate (White Form) Holder shall truthfully report to HKHS the entering into any agreement (including provisional agreement) to acquire any domestic property in any manner in Hong Kong within 14 days therefrom.

13. HKHS reserves the right to (i) notify the owners of the Flat and relevant government departments, government bureaux (including but not limited to HB), operating organisations of subsidised housing projects/schemes (including but not limited to Transitional Housing/LPH recognised by HB) about the tenant and/or tenant's family member(s)' allocation of a traditional PRH flat or Rental Estate unit or the acquisition of a domestic property⁸ in Hong Kong, and (ii) revoke the Tenant Certificate (White Form) held by the tenant.
14. HKHS reserves the right to revoke and terminate Tenant Certificate (White Form) upon issuance of the notice to the Tenant Certificate (White Form) Holder.
15. Tenant Certificate (White Form) will be revoked, terminated and become invalid in case of the following:
 - 15.1 Upon issuance of the notice of revocation to the Tenant Certificate (White Form) Holder; or
 - 15.2 If there is an existing tenancy agreement entered into with an Owner Certificate Holder as of the Date of Expiration of Tenant Certificate (White Form)) on the expiration date or sooner determination of such tenancy agreement (as the case may be and the earlier of the two shall prevail); or
 - 15.3 (If there is no existing tenancy agreement entered into with an Owner Certificate Holder as of the Date of Expiration of the Tenant Certificate (White Form)) on the Date of Expiration of Tenant Certificate (White Form); or
 - 15.4 Other circumstances (if any) as stated in (i) the terms and conditions of the Scheme and (ii) the relevant Government Land Grant (including Modification Letter(s) and the Waiver Letter(s)).

Signature of the Applicant

Date:

⁸ If the Tenant Certificate (White Form) Holder and/or any family member(s) listed on the relevant Tenant Certificate (White Form) owns a domestic property in Hong Kong, they may not be eligible for the relevant housing application. For details, please refer to the relevant guidelines.