

IN THE LANDS TRIBUNAL OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION

No. LD /

Application for Judgment in Default of Opposition

Pursuant to Rule 15 of Lands Tribunal Rules

BETWEEN Applicant AND Respondent

I, the representative of Applicant, provide herewith the up-dated information and apply for a judgment in default of opposition as follows :-

- (1) The suit premises are subdivided unit as defined in section 120AA(1) of the Landlord and Tenant (Consolidation) Ordinance, Cap.7. The tenancy in relation to the suit premises is one regulated by Part IVA of the Landlord and Tenant (Consolidation) Ordinance, Cap. 7 in that (a) the tenancy commences on or after the material date as defined in section 120AA(1) of the Landlord and Tenant (Consolidation) Ordinance, Cap,7 to be read in conjunction with section 120AAQ(5)(a); (b) the tenancy is domestic in nature; (c) the tenancy is for the purpose of the tenant’s own dwelling; (d) the tenant of the subdivided unit is a natural person; and (e) the tenancy is not within the types of excluded tenancies specified in Schedule 6 of the Landlord and Tenant (Consolidation) Ordinance, Cap,7.
(2) A copy of Application Form 22 was duly served on the Respondent as per the (latest) “Affidavit/Affirmation of Service” filed into the Tribunal. As far as I know, the said copy was neither returned nor undelivered. I have no evidence or information to indicate that service is ineffective.
(3) The Respondent has failed to file Notice of Opposition into the Tribunal within the time specified in law or by the court.
(4) Is this case related to agricultural land? * Yes / * No.
(5) The suit premises where the subdivided unit is situated at is for residential purpose.
(6) Up to the date of filing of this application, the Tenant has failed to pay the : (Note: The claimed contents of the following items should not be more than that claimed in the Application Form 22)

- * () outstanding balance of rent \$ from *up to ;
* () Arrears of rent/mesne profits at \$ per month commencing from until the date of delivering up of vacant possession of the subdivided unit;
* () Ancillary claims for recovery of specified utilities and services apportioned for the subdivided unit commencing from until the date of delivery up of vacant possession of the suit premises;
* () electricity charges \$ *from up to ;
* () water charges \$ *from up to ;
* () gas charges \$ *from up to ;
* () Communication services \$ *from up to ;
* ()

- (7) I produce herewith the copies of the following documents in support of this application :
* () The latest duly stamped Tenancy Agreement and Form AR1 (if any) signed between the Applicant and the Respondent (see Annex “”)
* () *Deed of Assignment / *Ownership Registration document from the Land Registry *and rental stub(s) recently issued to the tenant(s) (see Annex “”).
* () The demand notes / bills for the *water charges, *electricity charges, *gas charges, *communication services issued by the relevant authorities and/or service providers and documents showing how the amounts under the bills are apportioned for the different parts (of which the subdivided unit is one) forming the premises to which the bills relate (see Annex “”).
* ()

(8) I now apply for an order that:-

- (a) the Applicant recovers possession of the suit premises ;
- (b) the Respondent is to pay all the sums as mentioned in above paragraph (6).
- (c) the Respondent is to pay costs to the Applicant.

Dated this : _____

(Signature of **the authorised representative of* Applicant) ❖

* Delete whichever is inapplicable.

Full Name of the Signatory: _____

❖ If the Applicant is a company/incorporation, please affix the company seal/chop and write down the full name of the signatory. Any authorized representative should also at the same time produce an effective letter of authorization.