



17 FEB 2010

香港銅鑼灣羅素街38號金朝陽中心21樓 21st Floor, Soundwill Plaza, 38 Russell Street, Causeway Bay, Hong Kong.
電話 / Tel: (852) 2803 4260 傳真 / Fax: (852) 2834 5185

12th February 2010

The Honorable Mrs. Regina IP LAU Suk-ye, GBS, JP
Flat D-F, 11/F,
China Overseas Building,
139 Hennessy Road,
Wan Chai,
Hong Kong

Dear Honourable Legislative Council Member,

**Land (Compulsory Sale for Redevelopment) (Specification of Lower Percentage) Notice, and
Land (Compulsory Sale for Redevelopment) Ordinance**

We are writing to provide you with information in response to the remark you made at the Committee Meeting for the captioned Notice held on 9 February 2010. The information is based on the facts and experience we have in urban redevelopment.

We are given to understand that you referred to a case (which we have reason to believe to be about Sin's [洗] family in the compulsory auction sale of 44 and 46 Haven Street) as an example of how a minority owner could be abused and extorted by a developer under the Ordinance. It was presented to the Meeting that notwithstanding the Lands Tribunal ruled the value of the shop to be \$10M, the owner only pocketed \$2M and had to pay \$8M legal costs.

Please allow us to walk through some other relevant and material facts and happenings, which might have not been made known to you. We believe these missing pieces may give a fair and full picture of the case.

- (1) According to the Judgment of the Lands Tribunal (*Fineway Properties Limited v Sin Ho Yuen Victor, the Administrator of the Estate of Sin Yat, LDCS 5000 of 2007*), it is the minority owner who unnecessarily got *voluminous expert reports* and incurred extra costs.
- (2) We undertook the site acquisition of 44 and 46 Haven Street as a result of invitations from some of the owners there. Negotiations commenced in 2006. All other owners agreed to sell. Most (if not all) of the owners welcomed and embraced our acquisition. They received handsome purchase prices which are well above the existing value of their properties. They also felt relieved for getting away from the inflammable oil piled at the shop of the minority owner and the threat and hazard fire and all the odour and nuisance caused by the business of the minority owner.
- (3) We made every endeavour to seek the agreement of Sin's family for the sale. We made reasonable and generous offers, but they were all rejected. Sin's family asked for sky-high price. They also tried every means and efforts to find experts who could dare to substantiate and justify their sky-high price tag to be a fair figure, but failed.

For your further information, we are also engaging in the site acquisition of another building at Haven Street. Sin's family also owns a shop and a residential unit. The message we received is that for the SHOP ALONE will only be sold at a price well above \$100M and not less than \$10,000 per square feet, and that the owner is confident that we must give in and pay whatever he demands unless and until the threshold for compulsory is changed to 80% and not 90%.

To us, sometimes a person claiming to be the victim may well not be a victim. In the case of Sin's family, their efforts and endeavours in resisting the change to 80% could well for an ulterior financial gain and greediness.

We shall be most obliged if we may keep in touch with you and so to assist you to have more data and understanding for the Notice.

Yours faithfully,
For and on behalf of
Soundwill Holdings Limited
For and on behalf of
SOUNDWILL HOLDINGS LIMITED


.....
Authorized Signature(s)

Authorized Signature

- c.c. All Sub-Committee Members on Land (Compulsory Sale for Redevelopment) (Specification of Lower Percentage) Notice:
- Hon CHAN Kam-lam, SBS, JP
 - Hon Albert Ho Chun-yan
 - Ir Dr Hon Raymond Ho Chung-tai, SBS, S.B.St.J., JP
 - Dr Hon Margaret Ng
 - Hon James To Kun-sun
 - Hon Miriam Lau Kin-yee, GBS JP
 - Hon Abraham Shek Lai-him, SBS, JP
 - Hon Frederick Fung Kin-kee, SBS, JP
 - Hon Audrey Eu Yuet-mee, SC, JP
 - Hon Wong Kwok Hing, MH
 - Hon Andrew Leung Kwan-yuen, SBS, JP
 - Hon Cheung Hok-ming, GBS, JP
 - Prof Hon Patrick Lau Sau-shing, SBS, JP
 - Hon Cyd Ho Sau-lan
 - Hon Starry Lee Wai-king
 - Hon Wong Kwok-kin, BBS