



 Howse Williams

## Property and Building Management Practice

January 2020

# Contents

|   |   |
|---|---|
| Contents.....                                     | 1 |
| About Us .....                                    | 2 |
| Our Approach.....                                 | 3 |
| Our Property / Building Management Practice ..... | 3 |
| Our Non-Contentious Property Practice .....       | 4 |
| Our Team .....                                    | 6 |

---

**Howse Williams is an independent Hong Kong law firm which combines the in-depth experience of its lawyers with a creative, forward-thinking approach.**

---

## **About Us**

Our key practice areas are corporate/commercial and corporate finance; commercial and maritime dispute resolution; clinical negligence and healthcare; insurance, personal injury and professional indemnity insurance; employment; family and matrimonial; property and building management; banking; fraud; financial services/corporate regulatory and compliance.

As an independent law firm we are able to minimise legal and commercial conflicts of interest and act for clients in every industry sector. The partners have spent the majority of their careers in Hong Kong and have a detailed understanding of international business and business in Asia.

The HW partners and their teams have an excellent reputation for delivering high quality legal advice with a practical and commercial approach to solving legal issues in line with clients' commercial objectives.

## Our Approach

We provide a practical and forward-thinking approach to clients who want to resolve their contentious and non-contentious property and building management issues in a time/cost efficient manner. We are well-versed in all aspects of property and building management and we are fully aware of our clients' needs for a commercial approach to property and building management issues. We therefore give our clients a realistic idea of what to expect from our services and offer our clients practical and commercial approaches in resolving property and building management issues.

## Our Property / Building Management Practice

Our clients include some of the largest international real estate service agencies, listed property developers, international and local building management companies, quasi - government bodies, property investment funds; incorporated owners of commercial/residential buildings; commercial and individual landlords and tenants in Hong Kong. Our team have experience in providing advice upon the following:

- rights and obligations under land documents, such as Deeds of Mutual Covenant, Government Grants, building plans, house rules etc.
- drafting Deeds of Mutual Covenant, house rules, leases, licences and other land related documents
- interpretation of occupation permits and advising upon usage of premises and material change of use
- issues of easements / right of way, illegal structures, adverse possession, nuisance claims, common areas, slopes, defective buildings
- advising upon the terms of residential and commercial / retail tenancy agreements and resolving landlord and tenant disputes involving residential and commercial / retail properties and issuing proceedings for outstanding rent / management fees and related damages together with applications for possession of properties
- disputes between incorporated owners and owners of property in claims for breaches of Deeds of Mutual Covenant including the making of emergency injunction applications
- disputes involving breaches of construction / building contracts for negligence and fraud
- advising incorporated owners and building managers upon tendering exercises, budget and accounts and contribution of funds
- advising building managers / incorporated owners upon powers, rights and obligations
- advising upon judicial reviews in connection with government policies on land development

## Our Non-Contentious Property Practice

Our non-contentious property practice is led by Janet Lee (formerly of the Lands Department's Legal Advisory and Conveyancing Office). Janet has extensive experience in the following areas:

- reviewing, drafting and negotiating sale and purchase agreements of properties and other land related documentation
- advising on titles of properties
- identifying title defects and advising on available remedies
- handling sale and purchase, gift, mortgage and other transactions involving properties
- advising on terms of Government Grants including Modification Letters and Waivers
- advising on permitted usage of lands
- advising on issues relating to Government Grants enforcement actions
- advising on terms of Deeds of Mutual Covenants and rights and obligations amongst co-owners
- reviewing, drafting and negotiating leases and surrenders
- advising on tenancy matters and rights and obligations between landlords and tenants



## Janet Lee

*Partner*

|        |                             |
|--------|-----------------------------|
| Direct | +852 2803 3769              |
| Mobile | +852 6397 7970              |
| Fax    | +852 2803 3618              |
| Email  | janet.lee@howsewilliams.com |

Janet advises on a wide range of property and conveyancing matters including agreements for sale and purchase; deeds of mutual covenant; tender and auction transactions; management agreements; building management; leases and tenancy agreements; land documentation, including breach of lease conditions and lease enforcement action, and property related regulatory matters.

Janet previously worked at the Lands Department in their Legal Advisory and Conveyancing Office. Janet was admitted as a Solicitor in Hong Kong in 1993. She is fluent in written and spoken English, Cantonese and Mandarin.

### ▼ *Experience*

2016 Howse Williams  
2012 Legal Advisory and Conveyancing Office, Lands Department  
1998 Charles Yeung Clement Lam Liu & Yip, Solicitors

### ▼ *Education*

PCLL, University of Hong Kong  
LLB, University of Hong Kong

### ▼ *Professional Qualifications*

1994 England and Wales  
1993 Hong Kong

### ▼ *Professional Affiliations*

Member, Law Society of Hong Kong

## Our Team

### **Kane Mak**

*Senior Associate*

Kane is a Senior Associate in the firm's commercial dispute resolution practice. He regularly advises on litigation and contentious regulatory matters. He has extensive experience handling disputes involving financial institutions and multinational corporations, and handles regulatory investigations (including criminal investigations) and 'white-collar' defence work. His experience includes advising corporations on handling urgent search warrants issued by law enforcement agencies, and handling urgent injunctions. He also advises corporations on compliance policies and training.

Kane is a member of the Law Society of Hong Kong's Criminal Law and Procedure Committee and is an accredited general mediator.

Kane is fluent in English, Cantonese and Mandarin.

### **Tony Leung**

*Associate*

Tony joined HW as a Trainee Solicitor in 2012. He completed his training contract and was admitted as a Solicitor in Hong Kong in 2014 after gaining experience in general commercial, shipping and medico-legal litigation and corporate/corporate finance work. Tony joined HW's commercial dispute resolution team on qualification and is regularly involved in commercial and insurance litigation and dispute resolution. He has experience in insurance (including D&O liability and professional indemnity), misrepresentation claims, debt recovery, shareholder disputes, and construction / building management matters. Tony has also advised on matters relating to data privacy, and acted for a telecommunications / media company in relation to the production of journalistic materials.

Since 2014, Tony has been a Panel Solicitor for the Hong Kong Solicitors Professional Indemnity Scheme, advising upon both coverage and defence of a broad range of professional indemnity claims. Tony is fluent in English, Cantonese and Mandarin.

### **Viviane Lok**

*Associate*

Viviane joined HW in November 2014 as a paralegal and became a Trainee Solicitor in 2015. On qualification in March 2017, she joined the firm's commercial dispute resolution team as an Associate. Viviane has particular involvement in the handling of commercial litigation, insurance and professional indemnity, employment, broadcast / telecommunications and property / building management matters.

Before becoming a lawyer, Viviane was a fundraiser for a local Hong Kong not-for-profit organization.

Viviane is fluent in English, Cantonese and Mandarin.



 **Howse Williams**  
何韋律師行

27/F Alexandra House  
18 Chater Road  
Central, Hong Kong SAR

T +852 2803 3688  
F +852 2803 3608 / Litigation / Regulatory  
F +852 2803 3618 / Corporate / Banking / Property  
F +852 2803 3680 / Matrimonial

[www.howsewilliams.com](http://www.howsewilliams.com)  
[enquiries@howsewilliams.com](mailto:enquiries@howsewilliams.com)