

# A10 Leaders &

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### Mediation costs remove level playing field

Imagine spending your entire life paying a mortgage to finally own a property – only to be told it could cost you more than HK\$22,000 in “mediation system fees” to now fight to keep the property or to at least get a fair price (“Flat owners forced to sell face big bill in mediation system”, January 28).

Secretary for Development Carrie Lam Cheng Yuet-ngor says it will save the minority owner the “burden of litigation”. How nice of her to think of the small guy by offering mediation instead of litigation to an eventual eviction from what is rightfully yours and paid for with your blood, sweat and tears.

Developers are wielding too much influence when they have such powers of intimidation to evict people who have spent their lives investing in their homes.

“Fair market value” is determined by what a buyer is willing to pay and what a seller is willing to take, with no undue pressure.

Once you take away the rights of one of the parties in a transaction, it is no longer fair market value and a level playing field has been removed. In this case, it is in favour of the developer with very deep pockets and huge profit margins and goes firmly against the small individual.

I agree that property redevelopment is important for Hong Kong and we should welcome constant change. But when change takes place at the expense of the little guy and he is handed a bill to defend what should be a right of ownership, something is seriously wrong.

Solicitor and Democratic Party lawmaker James To Kun-sun is being too kind when he says it is “unacceptable to charge minority owners”. It would be more appropriate to describe it as criminal.

If the ownership of property is to be a good investment, then the property owner should not be forced into mediation or litigation and be expected to pay half or any part of the tab for doing so.

Omer Quenneville, Mid-Levels