FACILITATING SERVICES (PILOT SCHEME)

Pamphlet and Application Form

COMMERCIAL & INDUSTRIAL BUILDINGS

URBAN REDEVELOPMENT FACILITATING SERVICES COMPANY LIMITED
(A wholly owned subsidiary company of Urban Renewal Authority)
Estate Agent's (Company) Licence No.: C-046202

26/F, COSCO Tower, 183 Queen's Road Central, Hong Kong

December 2014
I. OBJECTIVES OF FACILITATING SERVICES (PILOT SCHEME)

The Urban Renewal Strategy, which was promulgated on 24\textsuperscript{th} February 2011, states that the Urban Renewal Authority ("the URA") may provide assistance to owners as consultant to help them assemble titles for commencing owner-initiated redevelopment. To this end, the URA has established a wholly-owned subsidiary, Urban Redevelopment Facilitating Services Company Limited ("URFS"), to implement the Pilot Scheme. URFS is a company with an estate agent’s licence which provides services ("Facilitating Services (Pilot Scheme)") to interested owners in amalgamating their property interests for joint sale in the market or for disposal under the prevailing market mechanism and other relevant legislation.

II. PRINCIPLES OF THE PILOT SCHEME

(a) No acquisition, compensation, rehousing or resumption actions on the part of the URA/URFS will be involved.

(b) URFS will provide Facilitating Services to eligible owners to help them assemble titles for joint sale of their property interests. Its services include

- appointment of consultants on behalf of owners and coordinating and monitoring services provided by the consultants; and
- persuading yet-to-commit owners to join the Facilitating Services (Pilot Scheme) for joint sale of their property interests under the scheme.

III. APPLICATION REQUIREMENTS

(a) In each application, the owner-applicants shall own in aggregate not less than the following percentages of undivided shares in each lot of the site(s) under application (See Appendix I):

- If the site under application consists of one single building and one lot only, not less than 50\% of the undivided shares in that lot;
- If the site under application consists of only one single building which is situated on 2 or more lots in the site, not less than 50\% of the undivided shares in each individual lot in the site;
- If the site under application consists of more than one building which is situated on 2 or more lots in the site, not less than 50\% of the undivided shares in each relevant lot(s) on which each individual building is situated. If any one building is connected to another building by a common staircase, the average of the percentage of the undivided shares owned by those owners in the lot(s) on which one of the buildings stands and the percentage of the undivided shares owned by owners in the lot(s) on which the other of the buildings stands shall be not less than 50\%.

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(b) The majority of the buildings (i.e. buildings on more than 50% of the site area) in the site under application are classified as “poor” or “varied” by the URA in its Building Conditions Survey after carrying out inspection of buildings and none of the buildings in the site is classified as "good". Further inspections of the buildings may have to be conducted by URFS or consultants engaged by URFS, if so deemed necessary.

(c) If a District Urban Renewal Forum (“DURF”) has been set up in the district covering the site, the site under application should be situated within redevelopment zones identified by the DURF or at least not within the preservation areas proposed by the DURF.

(d) The site does not form part of the area of a redevelopment project commenced by the URA.

(e) The building(s) in the site under application should be under any one of the categories below:

(i) Commercial:
The occupation permit of each building in the site under application permits non-domestic use (excluding industrial uses) for whole building (“Commercial Building”); or

(ii) Industrial:
(1) The occupation permit of each building in the site under application permits industrial use for whole or part of that building, and

(2) The site is not in a zone designated “Industrial” according to the statutory plans approved under the Town Planning Ordinance (“Industrial Building”).

(f) If an application was not selected on the ground that it failed the financial viability assessment conducted by URFS internally or the valuer engaged by URFS (i.e. the proposed joint sale would not financially benefit the participating owners), re-submission of the same application would not be allowed within one year from the date of notification of the rejection of the previous application by URFS.

IV. PROCESS OF THE FACILITATING SERVICES (PILOT SCHEME)

Application and Project Selection

(a) Owner-applicants shall ensure that the joint application submitted by them satisfies the application requirements as stated in Part III(a) above with regard to the percentage of ownership of undivided shares before they submit their application.

(b) Each application will be processed and assessed as to whether it satisfies the application requirements. Interested owners are required to jointly submit one duly completed and signed application form (attached to this pamphlet) and
provide the relevant information to URFS. Please make extra copies of the application form for filling in the required information.

(c) In the course of assessing an application, if URFS discovers that a particular site under an application duplicates with the site under another application, URFS will require all the Coordinators in the applications to reply in writing within a specified time as to their choice of which application is considered as the final application to be submitted. If URFS does not receive any written reply from the Coordinators within the specified time, all the purported duplicate applications might not be considered by URFS.

(d) In order to inform all owners of building(s) in the application site of the relevant application, the Coordinator is asked to post up Facilitating Services (Pilot Scheme) Poster (Annex A) in conspicuous space in the lobby of each individual building within the application site. The Coordinator may also insert the Notification Letter (Annex B) into the letter boxes of all owners. Please make extra copies of the Poster or Notification Letter for use. If the Coordinator chooses to inform the owners within the application site of the relevant application by other means, please specify the method adopted in Section IV of the Application Form.

(e) If owner-applicants have submitted an application as a project under the Demand-led Redevelopment Project (Pilot Scheme) of the URA (“Such Application”) and Such Application is still being processed, applicants should first withdraw Such Application prior to submission of application for the Facilitating Services (Pilot Scheme).

(f) In deciding whether to select any particular application for further processing, URFS will consider whether the application requirements stated in Part III are satisfied, the available manpower and financial resources of URFS at the relevant time and any other relevant factors which are considered necessary by URFS, including but not limited to the property ownership structure of the buildings, financial viability assessment conducted by URFS internally, etc. A written notification will be issued within 4 months from the date of receipt of a duly completed and signed application form, indicating whether the application is accepted by URFS.

(g) For application selected by URFS for further processing, URFS will, at its own cost, engage a valuer, selected by the owner-applicants from a list prepared by URFS, to assess the financial viability of joint sale of property interests.

Submission of Application

(h) Owner-applicants can submit application at any time. URFS would process all applications received within a month as the same batch which is counted from the date of first application in that batch. URFS would notify the public every round of such one-month collection period via its website.
Facilitation Agreement(s)

(i) Subject to the application requirements being met and the report from the URFS’s valuers indicates that the joint sale of property interests is financially viable, the application will then be treated as an approved project under the Facilitating Services (Pilot Scheme) (“Approved Project”). URFS will enter into Facilitation Agreements with each applicant in the application form referred to in Part III(a) above and all subsequent owners who join the Approved Project. The Facilitation Agreement will detail the rights and obligations of URFS and applicants under the Approved Project, key milestones of the Approved Project, contribution that shall be made by each applicant, withdrawal/termination events, etc. Owners who have signed the Facilitation Agreements are hereinafter referred to as “Participating Owners”.

(j) For formal implementation of the Approved Project, the percentage of undivided shares of Participating Owners shall reach 50% Note 1 within one month from the announcement of positive outcome of the financial viability study referred to in paragraph (g) above. Otherwise, all the signed Facilitation Agreements will be terminated and the Approved Project will abort.

(k) URFS will on behalf of Participating Owners engage consultants for the Approved Project (including but not limited to solicitors, valuers and auctioneers), coordinate and monitor their work, and persuade yet-to-commit owners to join the Approved Project. For the consultancy expenses involved, please see Part VI below.

Joint Sale Agreement and Auction

(l) When the percentage of undivided shares of Participating Owners reaches 90% Note 1 (or between 80% Note 1 and 90% Note 1 subject to absolute discretion of URFS), URFS will arrange for signing of a binding Joint Sale Agreement (“JSA”) by the Participating Owners. The percentage of undivided shares of Participating Owners who eventually sign the JSA shall reach 90% Note 1 (or between 80% Note 1 and 90% Note 1 subject to absolute discretion of URFS). The JSA will bind all those Participating Owners who sign the JSA to sell their property interests by auction subject to a reserve price and to share the sales proceeds among themselves in accordance with an agreed sharing ratio schedule. The reserve price and the sharing ratio schedule will be determined by a valuer and will have to be agreed by all the Participating Owners who sign the JSA.

(m) Property interests covered by the JSA will be sold to the purchaser in an auction offering the highest bid which attains the reserve price.

(n) If no one offers a bid or the reserve price is not met in the auction, the joint sale will be deemed “unsuccessful” and the JSA will be terminated at once.

Note 1: As computed in the same manner as described in Part III(a).
(o) After a successful auction, the sale proceeds less the 1% service fee to URFS (please see Part VI(g) below) will be distributed to Participating Owners who signed the JSA in accordance with the agreed sharing ratio schedule.

V. KEY MILESTONES

(a) Within 1 year from the date of signing of the first Facilitation Agreement, the percentage of undivided shares of Participating Owners shall reach 60% Note 1.

(b) Within 2 years from the date of signing of the first Facilitation Agreement, the percentage of undivided shares of Participating Owners shall reach 90% Note 1 (or between 80% Note 1 and 90% Note 1 subject to absolute discretion of URFS). Subject to URFS’s absolute discretion and with the unanimous consent of all Participating Owners, these owners will be allowed one opportunity to put up the assembled interests for joint sale by auction even if the percentage of undivided shares of Participating Owners has not reached 80% Note 1.

(c) Within 5 months from the date of the percentage of undivided shares of Participating Owners reaching 90% Note 1 (or between 80% Note 1 and 90% Note 1 subject to absolute discretion of URFS), Participating Owners shall sign a JSA with the auction company and with URFS (if deemed necessary by URFS) and the related auction shall be conducted within those 5 months.

Note 1: As computed in the same manner as described in Part III(a).

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VI. PAYMENT OF FEES AND EXPENSES

(a) No fee needs to be paid to URFS for submission of application form. Save and except the service fee described in paragraph (g) below upon successful joint sale (i.e. the 1% of sale proceeds to URFS), URFS will not charge Participating Owners any other fees.

(b) URFS will bear its own expenses and overhead costs.

(c) When an application is treated as an Approved Project, URFS will on behalf of Participating Owners engage related consultants (including but not limited to solicitors, valuers and auctioneers) to provide services to the Participating Owners in the process of reaching a joint sale. Participating Owners shall pay the consultancy fees and related expenses (“Consultancy Expenses”). In the event that the payment under paragraph (d) below is less than the actual amount of Consultancy Expenses, URFS will make up the shortfall.

(d) After signing the Facilitation Agreement, Participating Owners shall pay their respective shares to Consultancy Expenses. The amount attributable to a Participating Owner for each unit Note 2 will be calculated according to the undivided shares that he/she owns in a lot, provided that the minimum amount for each unit is HK$3,000 and the minimum amount for each building Note 3 is HK$100,000 (to be shared among Participating Owners), whichever is higher (See Appendix II). URFS will undertake to contribute to the Consultancy Expenses of the yet-to-commit owners and the contribution made by URFS will be recovered from such owners participating in the Approved Project at a later stage.

(e) If an Approved Project fails after the signing of the Facilitation Agreement(s) for whatever reasons (such as participation level falling below 50% Note 1, key milestones not being met or joint sale being unsuccessful), Participating Owners and URFS will recover part of their payment and contribution respectively that have not been expended, if any, in proportion to their payments and contributions respectively to the Consultancy Expenses.

(f) Participating Owners who decide to withdraw from the Facilitating Services (Pilot Scheme) on their own accord at any time prior to the signing of the JSA will not be eligible for a refund of any payment.

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Note 1: As computed in the same manner as described in Part III(a).
Note 2: “Unit” means any premises that are described by reference to a specific number of undivided shares in a lot in any instrument registered in the Land Registry.
Note 3: “Building” means all the units included in one single deed of mutual covenant registered in the Land Registry.
(g) Upon successful joint sale of property interests by auction, a service fee of 1% of the sale proceeds derived from the joint sale will be charged by URFS from the Participating Owners. At the same time, the payment in paragraph (d) above will be refunded by URFS from the 1% service fee received. In addition, URFS will charge the purchaser of the joint sale of property interests 1% of the auction price as service fee. The service fee (less the total sum of the payment in paragraph (d) above refunded to all Participating Owners) will be placed in a separate rolling facilitation account by URFS for implementing other future projects under the Facilitating Services Scheme.

VII. WITHDRAWAL/TERMINATION

(a) If the key milestones described in Part V (a) and (b) above are not met, a two-month grace period will be allowed to make up the shortfall in the participation level. If the key milestones are still not met after the two-month grace period, all the signed Facilitation Agreements will be terminated and the Approved Project will abort. Please refer to the Facilitation Agreement for details.

(b) After signing the Facilitation Agreement, a Participating Owner is entitled to withdraw from the Facilitation Agreement at any time prior to his/her entering into JSA. The payment made will not be refunded.

This pamphlet is issued for the purpose of general reference only. The information contained herein is with reference to the principles and practice of URFS prevailing at the date of issue of the pamphlet. It shall not constitute any representation on the part of the URA or URFS or give rise to any expectation whatsoever and shall not be relied on as such. Each case will be considered on its own merits having regard to all factors and circumstances. URFS’s right to add to, amend or delete the whole or any part of this pamphlet is hereby reserved.

Enquiry Telephone No. of the Facilitating Services (Pilot Scheme):
2588 2800

Urban Redevelopment Facilitating Services Company Limited

December 2014
Application requirement:
Examples on ownership of not less than 50% of the undivided shares in each lot of the site(s) under application

Example 1: If the site under application consists of one single building and one lot only, owner-applicants shall own not less than 50% of the undivided shares in that lot.

[Diagram: One building, One lot, ≥ 50%]

Example 2: If the site under application consists of only one single building which is situated on 2 or more lots in the site, owner-applicants shall own not less than 50% of the undivided shares in each individual lot in the site.

[Diagram: Each lot ≥ 50%, Two lots, One building]

Example 3: If the site under application consists of more than one building which is situated on 2 or more lots in the site, owner-applicants shall own not less than 50% of the undivided shares in each relevant lot(s) on which each individual building is situated.

[Diagram: Two buildings, Two lots, Each lot ≥ 50%, Each lot to be assessed separately]
**Example 4:** If the site under application consists of more than one building which is situated on 2 or more lots in the site and one building is connected to another building by a common staircase, owner-applicants shall own not less than 50% of the undivided shares on average in the lots on which the buildings stand.

**Remarks:** The above examples are for reference only. Part (III)(a) in the Pamphlet and URFS’s decision shall prevail.
### Appendix II

**Payment by Participating Owners (Applicable to Commercial or Industrial Buildings):**

Example on calculations of Payment payable by a Participating Owner for individual unit

The site under application consists of one commercial building. The undivided shares allotted to units are different (undivided shares of each unit are shown in the diagram below).

The amount attributed to each undivided share = [Threshold Figure ÷ total undivided shares]

= $100,000 ÷ 100

= $1,000

#### Amount payable by different units:

**Carparking space on G/F (Undivided shares of 1/100 per unit):**

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<tr>
<th>Level</th>
<th>Undivided Shares</th>
<th>Amount Payable</th>
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<tr>
<td>G/F</td>
<td>1/100</td>
<td>$1,000</td>
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**(i) $1,000 × 1 = $1,000 OR**

**(ii) $3,000 per unit whichever is higher.**

**Amount payable per unit shall be $3,000**

**Units on 1/F (Undivided shares of 16/100 per unit):**

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<th>Level</th>
<th>Undivided Shares</th>
<th>Amount Payable</th>
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<tr>
<td>1/F</td>
<td>16/100</td>
<td>$16,000</td>
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**(i) $1,000 × 16 = $16,000 OR**

**(ii) $3,000 per unit whichever is higher.**

**Amount payable per unit shall be $16,000**

**Units on 2/F-9/F (Undivided shares of 4/100 per unit):**

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<th>Undivided Shares</th>
<th>Amount Payable</th>
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<tr>
<td>1/F</td>
<td>16/100</td>
<td>$16,000</td>
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**(i) $1,000 × 4 = $4,000 OR**

**(ii) $3,000 per unit whichever is higher.**

**Amount payable per unit shall be $4,000**

Remarks: The above examples are for reference only. Part (VI)(d) in the Pamphlet and URFS’s decision shall prevail.
Notes for Submission of Application Form

1. Interested owners are welcome to apply for the facilitating services provided by the Urban Redevelopment Facilitating Services Company Limited (“URFS”). Only applications which satisfy all the application requirements stated in Part III of the Facilitating Services (Pilot Scheme) Pamphlet - Commercial and Industrial Buildings (“the Pamphlet”) will be considered.

2. Please read the Pamphlet and the Notes for Completing Application Form before completing and signing this application form and giving the acknowledgment therein. Duly completed and signed application forms shall be put in a sealed envelope marked “Confidential” and addressed to the URFS, Facilitating Services Application (Address: Urban Redevelopment Facilitating Services Company Limited, 26/F, COSCO Tower, 183 Queen’s Road Central, Hong Kong). Please return the application form to the above URFS address in person. Please do not return the application form by mail.

3. No fee needs to be paid for submission of application form. Please refer to Part VI of the Pamphlet for details of fees that may need to be paid in future.

4. If an owner-applicant signs the application form, it means that the owner-applicant has already read and understands the Pamphlet and Notes for Completing Application Form and agrees to give the acknowledgment in Section II of the Application Form.

5. Processing Procedures and Notes for Applicants:

(a) Upon receipt of an application form, URFS will preliminarily verify the information provided therein to find out whether the applicants in the application form have satisfied all the application requirements. In determining the eligibility of the application, URFS may contact the relevant owners for verification of the information provided.

(b) An application will be treated as an unsuccessful application if it cannot satisfy all the application requirements or is not selected for implementation.

(c) URFS will inform the Coordinator(s) in Section III of the Application Form whether an application is accepted or not within 4 months from the date of receipt of a duly completed and signed application form, by registered mail.

(d) By submission of an application, applicants are deemed to have accepted all the terms stated in this application form and the Pamphlet.

6. The provision of personal data by means of the submission of this application form is voluntary. The information provided in this application form will be used by URFS to process this application submitted by the applicants and for other purpose related to the application. Enquiries concerning the personal data collected in this process, including any request to have access to such data and/or to make any corrections, should be made in writing to URFS.

Facilitating Services (Pilot Scheme) Enquiry Telephone No: 2588 2800

Urban Redevelopment Facilitating Services Company Limited

Estate Agent’s (Company) Licence No.: C-046202
December 2014
Notes for Completing Application Form

1. Name, address and corresponding lot number of each building situated on the site under application should be entered in the List of Buildings on the Site under Application in Section I of this application form. For example, if a site under application consists of four buildings, the names, addresses and corresponding lot numbers of all of the four buildings should be filled in the List of Buildings on the Site under Application.

2. (a) The “Coordinator” in Section III shall be an owner-applicant. If necessary, URFS may get in touch with the Coordinator for arranging building conditions inspection, obtaining further information, or seeking clarifications of the information provided in the application form.

   (b) In order to inform all owners of building(s) in the application site of the relevant application, the Coordinator is asked to post up Facilitating Services (Pilot Scheme) Poster (Annex A) in conspicuous space in the lobby of each individual building within the application site. The Coordinator may also insert the Notification Letter (Annex B) into the letter boxes of all owners. Please make extra copies of the Poster or Notification Letter for use. If the Coordinator chooses to inform the owners within the application site of the relevant application by other means, please specify the method adopted in Section IV of the Application Form.

3. (a) All owner-applicants shall sign this application form. If a property is co-owned by more than one person/company, all registered owners shall sign this application form. Registered owners are those persons/companies recorded in the land register of the Land Registry as owners of the property.

   (b) For each corporate registered owner, the application form shall be signed by a duly authorized director and stamped with the company chop. The name of the signing director should be stated in the application form.

   (c) If an application form is signed by an authorized representative of a registered owner, an authorization letter shall be attached.

   (d) If a registered owner is dead, the applicant for the property shall be the executor of the will of the deceased or the administrator of the estate of the deceased, whose name has been registered in the land register of the Land Registry.

   (e) When computing the required percentages of undivided shares in the site under application, URFS will make reference to the property information, undivided shares and names of registered owners recorded in the land register of the Land Registry. The method of computation is as follows:

      (i) If all the registered owners of a property sign the application form, all undivided shares of that property will be counted;
(ii) If a property is co-owned by more than one person or company by way of tenancy in common and only one or some of them signs the application form, only the undivided shares held by those signing owner who have signed will be counted;

(iii) If a property is co-owned by way of joint tenancy, the undivided shares held by an owner who has signed will be counted and the property is treated as equally owned by all the co-owners;

(iv) If an application form is signed by an authorized representative of the owner without enclosing an authorization letter or by a company director without affixing the company chop or where the signatory of a company applicant is not a company director, the undivided shares or any part thereof of the property owned by that applicant-owner will not be counted.
# Section I: List of Buildings on the Site under Application
Details of all the Building(s) situated on the Site under Application

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<th>(B) Corresponding Lot Number(s)</th>
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Are any of the above buildings connected to another building by a common staircase?

No [ ]

Yes [ ] Please state the names of the relevant building:

________________________________________________________________________
________________________________________________________________________

This application comprises of _____ pages in total (i.e. including this page and all pages of the duly completed and signed Sections II, III, IV & V).

December 2014
Notes for completing Section II:
All registered owner(s) shall sign this application form. Separate Acknowledgment and Signature should be signed for each separate building situated on the site under application. Please photocopy this page for additional space.

Section II: Acknowledgement and Signature

(1) I/We fully understand the contents of this form and confirm that all the information provided therein by me/us is true and correct. I/We fully understand and agree that this application covers all the buildings listed in the List of Buildings on the Site under Application in Section I and that when considering this application, URFS will treat it as one single inseparable application. Should there be any changes to the information provided after the submission of this form, I/We shall inform URFS in writing at once.

(2) I/We agree to provide such other information or supporting documents as URFS may require in processing this application.

(3) I/We fully understand and agree that URFS reserves the right to decline this application at any stage and URFS shall not be liable to any person for doing so. I/We also agree that this application form and all supporting documents provided by me/us in relation to this application will not be returned to me/us irrespective of whether this application is successful or not. I/We agree that should this application be successfully accepted for further processing, I/We shall sign Facilitation Agreement(s) ("FA(s)") in prescribed format as specified by URFS. Only after the FA(s) are duly signed will URFS be obliged to provide the related services and the terms of such services will be subject to the FA(s).

(4) I/We hereby give consent to the staff of URFS and/or Urban Renewal Authority, in assessing my/our application, to compare and match the personal data on this form with relevant personal data collected for any other purpose (manually or in any other ways) so as to verify if the personal data provided are false and misleading, and to base upon such to process the related application. I/We hereby give consent to URFS and/or Urban Renewal Authority to mention the concerned building, this application and the details thereof in their websites, publications or public documents in relation to this Facilitating Services (Pilot Scheme).

(5) I/We acknowledge and agree that the person(s) provided in Section III of this application form will be the Coordinator(s) of this application.

(6) I/We acknowledge and agree that this application is made under the terms and conditions of the Pamphlet and Notes for Completing Application Form.

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<tr>
<th>Unit/Portion of the building owned by the Applicant</th>
<th>Name of the Applicant</th>
<th>Undivided Shares of the Unit to that of the Lot</th>
<th>HK Identity Card or Passport No. (first 4 digits including alphabets) or Company No.</th>
<th>Signatures of the Applicants/Names and Signatures of Authorised Representatives of the Applicants/Names and Signatures of Company Directors with Company Chop</th>
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Total Undivided Shares :
Urban Redevelopment Facilitating Services Company Limited
Application Form for Facilitating Services (Pilot Scheme)
Commercial and Industrial Buildings

Section III : Particulars of the Coordinator(s) of the Application for the Pilot Scheme (Coordinator should be an owner-applicant; one or two Coordinators can be provided)

(A) **Coordinator No. 1**
- Name: 
- Telephone No.: 
- Correspondence Address: 

(B) **Coordinator No. 2**
- Name: 
- Telephone No.: 
- Correspondence Address: 

Section IV: Method adopted by the Coordinator to inform all owners within the application site of this application

Section V: Any other information/comments which the owner-applicants may wish to provide to facilitate the processing of this application
An application is being made by the owners of this building for Urban Renewal Authority’s “Facilitating Services (Pilot Scheme)”. Please contact the Coordinator of the application if you have any queries.
Annex B

NOTIFICATION LETTER

Urban Redevelopment Facilitating Services Company Limited
Facilitating Services (Pilot Scheme)

An application is being made by the owners of this building for Urban Renewal Authority’s “Facilitating Services (Pilot Scheme)”. Please contact the Coordinator of the application if you have any queries.