Lien Wei Industrial Co., Ltd.

1772nd Commissioners' Meeting (2025)

Case: Lien Wei Industrial Co., Ltd. violated the Fair Trade Act by making false or misleading representations in an advertisement for the "Yang Wang" housing project
Keyword(s): Overall floor plan of rooftop structure; table tennis room; false or misleading advertising
Reference: Fair Trade Commission Decision of October 1, 2025 (the 1772nd Commissioners' Meeting); Disposition Kung Ch'u Tzu No.114092
Industry: Real Estate Development Activities (6700)
Relevant Law(s): Article 21 of the Fair Trade Act

Summary

1. Lien Wei Industrial Co., Ltd. (hereinafter referred to as "Lien Wei") sold the "Yang Wang" housing project (hereinafter referred to as the "housing project at issue") in Puzi City, Chiayi County. In the overall floor plan of the rooftop structure used in its advertisement (hereinafter referred to as the "advertisement at issue"), an area designated for use as a mechanical room was depicted as a table tennis room. The advertisement was therefore suspected of being false or misleading.

2. Findings of the FTC after investigation:
   Lien Wei constructed and sold the housing project at issue itself and had obtained Building Permit No.00082 issued by the Chiayi County Government in 2023. The advertisement at issue was designed and produced by Lien Wei itself and distributed at the sales center. The depiction of the mechanical room space on the second level of the rooftop structure as a table tennis room was an error. The function of mechanical room space could not be changed to be used as a table tennis room. However, Lien Wei stated that it would still fulfill its commitment after closing by finding another space within the residential community and establishing a table tennis room for residents. The advertisement at issue was used from January 20 to May 14, 2024. According to the opinion provided by the Chiayi County Government, the approved uses of the second level of the rooftop structure of the housing project at issue were a stairwell, water tank, and mechanical room. If a use permit was subsequently obtained, the building was required under Article 73

of the Building Act to be used in accordance with its approved use classification. Any change inconsistent with the approved use required an application for a change of the use permit, and any violation would be handled in accordance with Article 91 of the Building Act.

3. Grounds for the disposition:

(1) Lien Wei constructed and sold the housing project at issue itself. The advertisement at issue was also designed and produced by Lien Wei itself and distributed at the sales center. The FTC therefore determined that Lien Wei was the advertiser in this case.

(2) In selling the housing project at issue, Lien Wei presented an overall floor plan of the rooftop structure in its advertisement showing part of the area as designated for use as a table tennis room. The overall impression conveyed to the general public was that the housing project at issue would provide purchasers with a table tennis room as a common facility that could be legally used. According to the opinion provided by the Chiayi County Government, the approved uses of the second level of the rooftop structure were a stairwell, water tank, and mechanical room. Under the Building Act, a building was required to be used in accordance with its approved use classification. Any change in the use classification or any change inconsistent with the originally approved use required an application for a change of the use permit, and violations were subject to the penalties prescribed in Article 91 of the Building Act. Moreover, Lien Wei stated that the mechanical room space was located on the second level of the rooftop structure and that it was not possible to apply for a design change to convert the space into a table tennis room. The FTC therefore determined that the representations or symbols in the advertisement at issue were false or misleading, in violation of Article 21, Paragraph 1 of the Fair Trade Act.

(3) In conclusion, after assessing the motive and purpose behind Lien Wei's unlawful conduct, the inappropriate profit expected, the level of harm to trading order, the duration of the act, the profit obtained, as well as the business scale, management condition and market status of the offender, past violations, evidence of remorse after the violation, and cooperativeness throughout the investigation, the FTC cited the first section of Article 42 of the Fair Trade Act and imposed an administrative fine of NT$600,000 on Lien Wei.

Appendix:

Lien Wei Industrial Co., Ltd.'s Uniform Invoice Number: 53599701

Summarized by: Tseng, Huei-Yi; Supervised by Chang, Chun-Hung □