

ESTATE AGENTS ORDINANCE (Chapter 511)

Pursuant to section 30 of the Estate Agents Ordinance, it is hereby notified that the Disciplinary Committee of Estate Agents Authority has exercised the following disciplinary power against the following licensee:—

Licence No. E-410878
Name of Licensee CHAU Man Pan Denny
Matter Concerned The licensee:—

- (i) in handling the sale and purchase transaction of a residential property ('the Property'), arranged for the prospective purchaser to sign an agreement to assign the purchase rights of the Property ('the Agreement') before the Lands Department granted permission to sell the Property;
- (ii) arranged for the prospective purchaser to sign the Agreement with certain essential terms left blank; and
- (iii) in handling the sale and purchase transaction of the Property, failed to verify the identity of the vendor and whether the vendor as stated in the Agreement had the authority to sell before instructing the prospective purchaser to issue deposit payment to the vendor directly.

Date of Decision 12 May 2022

- Decision on Disciplinary Power Exercised*
1. In respect of the aforesaid matter (i):—
 - (a) The licensee is reprimanded;
 - (b) The licensee is fined HK\$4,000;
 - (c) A condition is attached to the licensee's licence requiring the licensee to attend and complete activities under the Estate Agents Authority Continuing Professional Development Scheme 'Compliance and Effective Management' category by way of seminars or lectures only and thereby acquire 12 points recognised by the Estate Agents Authority within 12 months, and at least 3 points of which shall be acquired from seminars or lectures on the Professional Ethics and Integrity subject; and
 - (d) The licensee's licence is suspended for a period of 1 month.
 2. In respect of the aforesaid matter (ii):—
 - (a) The licensee is reprimanded;
 - (b) The licensee is fined HK\$7,000;
 - (c) A condition is attached to the licensee's licence requiring the licensee to attend and complete activities under the Estate Agents Authority Continuing Professional Development Scheme 'Compliance and Effective Management' category by way of seminars or lectures only and thereby acquire 12 points recognised by the Estate Agents Authority within 12 months, and at least 3 points of which shall be acquired from seminars or lectures on the Professional Ethics and Integrity subject; and
 - (d) The licensee's licence is suspended for a period of 1 month.

3. In respect of the aforesaid matter (iii):—
 - (a) The licensee is reprimanded;
 - (b) A condition is attached to the licensee's licence requiring the licensee to attend and complete activities under the Estate Agents Authority Continuing Professional Development Scheme 'Compliance and Effective Management' category by way of seminars or lectures only and thereby acquire 12 points recognised by the Estate Agents Authority within 12 months; and
 - (c) The licensee's licence is suspended for a period of 1 month.
- (I) With regard to paragraphs 1(c), 2(c) and 3(b) above, the Disciplinary Committee, having regard to the principle of totality, decided that the following condition is attached to the licence concerned of the licensee:—

'The above-named licensee shall, during the period of 12 months from 30 May 2022 to 29 May 2023, attend and complete activities under the Estate Agents Authority Continuing Professional Development Scheme 'Compliance and Effective Management' category by way of seminars or lectures only and thereby acquire 12 points recognised by the Estate Agents Authority, and at least 3 points of which shall be acquired from seminars or lectures on the Professional Ethics and Integrity subject.'
- (II) With regard to the suspension sanctions in paragraphs 1(d), 2(d) and 3(c) above, the Disciplinary Committee, having regard to the principle of totality, decided that the licensee's licence will be suspended for a period of 1 month from 25 June 2022 to 24 July 2022 (both dates inclusive).