

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. S-363009
Name of Licensee TONG Ying
Matter Concerned The licensee:—

- (i) failed to seek the vendor's consent prior to making amendment in the preliminary agreement for sale and purchase;
- (ii) breached section 6(3)(b) of the Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation; and
- (iii) amended a term in the provisional agreement for sale and purchase that the transacting parties had already signed without obtaining the parties' written consent or arranging for them to initial against the amendment as confirmation.

Date of Decision 19 October 2021

Decision on Disciplinary Power Exercised 1. In respect of the aforesaid matter (i):—

- (a) The licensee is reprimanded;
- (b) The licensee is fined HK\$5,000; and
- (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 Estate Agents Ordinance and its subsidiary legislation, Code of Ethics and Practice Circulars subject.

2. In respect of the aforesaid matter (ii):—

- (a) The licensee is reprimanded; and
- (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.

3. In respect of the aforesaid matter (iii):—

- (a) The licensee is reprimanded; and
- (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 at least 3 points of which shall be acquired from seminars or lectures on the Estate Agents Ordinance and its subsidiary legislation, Code of Ethics and Practice Circulars subject.

With regard to paragraphs 1(c), 2(b) 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 24 months from 8 November 2021 to 7 November 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 24 points recognised by the Estate Agents Authority, at least 3 points of which shall be acquired from seminars or lectures on the Estate Agents Ordinance and its subsidiary legislation, Code of Ethics and Practice Circulars subject.’

3 December 2021

Estate Agents Authority