

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:—

<i>Licence No.</i>	S-509415
<i>Name of Licensee</i>	WAN Chi Wai
<i>Matter Concerned</i>	The licensee:— <ol style="list-style-type: none"><li>(i) failed to verify if the prospective purchaser had obtained the ‘Certificate of Eligibility to Purchase’ for purchase of flats under the Flat-for-Sale Scheme in the Secondary Market before arranging for the prospective purchaser to enter into a provisional agreement for sale and purchase (‘PASP’) with the vendor;</li><li>(ii) arranged for the prospective purchaser to sign a PASP with certain essential terms left blank; and</li><li>(iii) arranged for the vendor to confirm receipt of the initial deposit in the PASP by signing the receipt clause thereof before the vendor had received the money for the deposit.</li></ol>
<i>Date of Decision</i>	20 December 2023
<i>Decision on Disciplinary Power Exercised</i>	<ol style="list-style-type: none"><li>1. In respect of the aforesaid matter (i):—<ol style="list-style-type: none"><li>(a) The licensee is reprimanded;</li><li>(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</li><li>(c) The licensee’s licence is suspended for a period of 1 month from 3 February 2024 to 2 March 2024 (both dates inclusive).</li></ol></li><li>2. In respect of the aforesaid matter (ii):—<ol style="list-style-type: none"><li>(a) The licensee is reprimanded; and</li><li>(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.</li></ol></li><li>3. In respect of the aforesaid matter (iii):—<ol style="list-style-type: none"><li>(a) The licensee is reprimanded;</li><li>(b) The licensee is fined HK\$2,000; and</li><li>(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.</li></ol></li></ol>

With regard to paragraphs 1(b), 2(b) and 3(c) 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 January 2024 to 7 January 2026, 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, 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 February 2024*

*Estate Agents Authority*