

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 Nos. E-457754 and S-380484
Name of Licensee CHAN Kin Chuen
Matter Concerned The licensee:—

- (i) failed to inform the vendor prior to arranging for the vendor to enter into a provisional agreement for sale and purchase ('PASP') of a residential property ('the Property') that the purchaser did not provide an address to be inserted into the PASP and failed to advise the vendor of the risk of being unable to locate the whereabouts of the purchaser in the event of any subsequent dispute without the purchaser's address inserted therein; and
- (ii) in handling the sale and purchase transaction of the Property, failed to carry out customer due diligence on the customer.

Date of Decision 30 November 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\$2,000; 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;
 - (b) The licensee is fined HK\$1,000; 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 6 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) and 2(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 12 months from 5 December 2022 to 4 December 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 6 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.’

30 December 2022

Estate Agents Authority