



地產代理監管局
ESTATE AGENTS AUTHORITY

12 December 2012

To: Property Management Companies

Attn: Managing Directors

Re: Unlicensed Estate Agency Work

The Estate Agents Authority (“EAA”) is a statutory body established under the Estate Agents Ordinance (“EAO”). One of its principal functions is to regulate and control the practice of estate agents in Hong Kong.

The EAA recently received a complaint that a property management company had instructed its caretakers to conduct unlicensed estate agency work by collecting information pertaining to the sale / purchase / lease of properties from residents who wish to acquire or dispose of their properties and pass the information collected to estate agencies for a referral fee. The EAA is now investigating the complaint.

Estate agency work, as defined in section 2 of the EAO, has a wide meaning. In brief, it means any work done in the course of business for a client (a) being work done **in relation to** the introduction to the client of a third person who wishes to acquire or dispose of a property and subsequent negotiations, or (b) being work done, after the introduction or the negotiations, to effect the acquisition or disposal of the property.

The EAA takes the view that referral of clients to estate agencies for the sale, purchase or lease of properties in Hong Kong in the course of business may fall within the definition of “estate agency work” under the EAO, and as such, the person / company engaging in the referral work is required to hold a licence under the EAO.



地 產 代 理 監 管 局
ESTATE AGENTS AUTHORITY

The EAA would like to remind property management companies not to cause caretakers or other staff, who are not licensed estate agents or salespersons, to refer clients to estate agencies because such work may involve unlicensed estate agency work, and under the EAO, a person conducting unlicensed estate agency work and a licensed estate agent employing unlicensed persons to carry out such work may commit a criminal offence.

Please also draw the attention of your caretakers and staff that referring clients to estate agencies may involve estate agency work and that undertaking estate agency work without a licence may constitute a criminal offence.

Yours faithfully,

Anthony Wong
Director of Operations
Estate Agents Authority