



## 紀律研訊個案 — 沒有核實物業資料

**提**供準確的物業面積資料給客戶，是地產代理從業員的重要職責之一。從業員必須採取適當步驟核實相關資料，並應從差餉物業估價署的「物業資訊網」取得物業面積資料給予客戶。

一名地產代理安排準買家參觀某住宅大廈一個19樓A單位，並告訴準買家該單位面積為715平方呎。稍後，該地產代理安排這位準買家與業主簽訂臨時買賣合約。

其後買家從網上不同資料來源發現，所購的單位面積比該地產代理

所說的為小。原來，該地產代理只是根據大廈其他層數A單位的建築面積記錄來推斷買家所購買的單位也是同一面積。

然而，根據差餉物業估價署的資料所示，買家購入的19樓A單位的實用面積比其他層數的A單位較小。買家向監管局投訴該名地產代理，個案經調查成立後，監管局紀律委員會展開紀律研訊。

紀律委員會認為，透過差餉物業估價署的「物業資訊網」，該名地產代理應取得該物業的面積資料，並

將該資料提供給買家。該名地產代理在未採取適當步驟核實有關資料之前，不應貿然推斷買家所購的19樓A單位的面積，和同一幢大廈其他層數A單位的面積是一樣的。

紀律委員會認為，該名地產代理沒有遵守監管局發出的《操守守則》第3.5.1段，在向買家提供物業資料之前，沒有盡量小心及盡一切應盡的努力，查核有關物業資料是準確的。結果，紀律委員會向該名地產代理作出訓誡。

## Inquiry hearing case – Failing to verify property information

Providing accurate property information to a client is one of the most important duties of estate agency practitioners. Practitioners should take reasonable steps to verify the related information and provide to their clients the property area information obtained from the “Property Information Online” (PIO) service of the Rating and Valuation Department (RVD).

An estate agent arranged for a prospective purchaser to inspect Flat A on the 19th Floor of a residential building and told the prospective purchaser that the floor area of the property was 715 square feet. Then the estate agent arranged for this prospective purchaser to enter into a provisional agreement for sale and purchase with the property owner.

Later on, the purchaser discovered

from different sources on the Internet that the floor area of the flat she bought was smaller than what the estate agent had told her. It turns out that the estate agent had actually inferred the floor area of the flat that the purchaser bought by the area information records of other Flats A on different floors of the same building.

However, according to the information of the RVD, the saleable area of Flat A on the 19th Floor that the purchaser bought is smaller than that of other Flats A on other floors. The purchaser lodged a complaint with the EAA and an inquiry hearing was conducted by the EAA Disciplinary Committee after investigation has concluded that the case was substantiated.

The Disciplinary Committee found

that the estate agent should have obtained the area information of the property through the PIO service of the RVD, and should have provided that information to the purchaser. Before taking reasonable steps to verify the related information, the estate agent should not have hastily inferred the floor area of Flat A on the 19th Floor that the purchaser bought was the same as that of other Flats A on different floors of the same building.

The Disciplinary Committee was of the view that the estate agent had failed to comply with paragraph 3.5.1 of the Code of Ethics – failure to exercise due care and due diligence to ascertain the accuracy of the property information before providing the same to the purchaser. As a result, the estate agent was admonished.