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韓婉萍
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行政總裁
Chief Executive Officer

“持牌人一旦被證實在進行地產代理工作期間干犯涉及暴力案件，會被撤銷牌照，並於最少三年內不獲發牌，現在我們正研究加長有關年期。”

“Once a licensee is found to have committed a crime involving violence during his estate agency work, his licence will be revoked and he will not be granted a new one for at least three years. We are now studying the extension of the relevant period.”

劣行令人蒙羞 Bad behaviour brings disgrace

近期發生一連串地產代理在一手住宅銷售處打架的事件，再加上有地產代理懷疑在被監管局職員發現違規後反而誣衊本局人員，這些行為絕對不能接受，令整個行業以至監管局都蒙羞，筆者強調，監管局職員必定會繼續堅守崗位，堅決懲處任何違規或挑戰監管局職權的行為，並對不適合擁有牌照的人士撤銷其牌照。

發生這些劣行之後，自然引來一眾市民及輿論的劣評如潮，不論閱報或看網上文章，看到的是公眾指摘代理是「地產爛仔」或「地產流氓」之類的說話，而行業的反應卻是互相卸責，「大行」指摘「細行」不依規矩，「細行」則指摘「大行」採用人海戰術，總言之，亂得一團糟。

筆者曾多番苦口婆心勸誡業界要珍惜羽翼，未料現在更變本加厲。局方只好研究收緊指引及加強處分，治亂世，唯有用重典。

除了加強對銷售處的巡查，監管局與多間發展商取得共識，多間發展商已決定禁止地產代理公司的無牌員工參與推銷、倘若再有代理打架則扣減其公司佣金及禁止該公司及/或有關員工再參與推銷等。

此外，監管局已著手研究加重對違規代理及其公司的處分。根據現時的政策，持牌人一旦被證實在進行地產代理工作期間干犯涉及暴力案件，會被撤銷牌照，並於最少三年內不獲發牌，現在我們正研究加長有關年期。

至於地產代理公司如被證實未有設立妥善管理制度管理其前線員工在一手樓盤銷售點的操守與秩序，亦會被紀律處分，最高懲罰包括撤銷牌照，公司也有可能被我們除牌。希望各持牌人及地產代理公司三思和正視問題！

The recent incidents in which estate agents fought at the sale sites of first-hand residential properties and the suspected slander of EAA staff by non-compliant estate agents is absolutely unacceptable, and has brought disrepute to the entire trade and even the EAA. I would like to emphasise that EAA staff are determined to continue to discharge our duties faithfully, sanction any acts of non-compliance or challenges to the authority of the EAA, and will revoke the licences of those not suitable to hold one anymore.

These intolerable incidents inevitably aroused waves of criticism from the public and media. One could read in newspapers or on online articles the public criticising or labelling estate agents as “gangsters” or “rogues”. Meanwhile, the trade’s response was to blame each other. The big operators blamed the small operators for not following the rules, while the small operators accused the big ones for using a large number of staff to outnumber competitors on site. In short, it is a mess.

I repeatedly reminded the trade to demonstrate self-respect and restraint, and did not expect the situation to worsen. It gives the EAA no choice but to tighten the guidelines and impose heavier sanctions. Desperate times call for desperate measures.

In addition to stepping up inspections of first-sale sites, the EAA has reached an agreement with a number of developers. They will ban unlicensed employees of estate agency companies and deduct commissions from and prohibit those companies and/or their employees involved in fights, from participating in their sales and promotion.

Moreover, the EAA has also started to study increasing the sanctions imposed on non-compliant agents and their companies. According to the current policy, once a licensee is found to have committed a crime involving violence during his estate agency work, his licence will be revoked and he will not be granted a new one for at least three years. We are now studying the extension of the relevant period.

As regards estate agency companies, if they have been found to have failed to establish a proper system to manage the conduct and order of their front-line staff at first-sale sites, they will also be disciplined. The maximum penalty imposed on licensees (including companies) is revocation of licence. I hope that all licensees and estate agency companies will think twice before acting!