

有關「經由持牌地產代理/營業員出租劏房」的新單張

New leaflet on “Letting of subdivided units by licensed estate agents/salespersons”

針對分間單位（俗稱「劏房」）「規管租賃」的《業主與租客（綜合）條例》第IVA部已於2022年生效，地產代理在確保劏房租賃符合條例要求上擔當不可或缺的角色。

有見及此，監管局發出執業通告（編號22-01（CR）），制定相關指引供持牌人遵從。監管局更推出了宣傳單張，概述執業通告的重點，讓持牌人更易於理解，並以此作為提醒。簡而言之，持牌人應：

1. 披露於交易中的行事身份
2. 通知客戶有關租住權保障和租金規管的要求
3. 向客戶解釋隱含的強制性條款
4. 提醒客戶留意相關罪行及分攤款項
5. 緊記加蓋印花及提交租賃通知書（表格AR2）

監管局鼓勵持牌人在處理劏房租賃時參閱該單張。監管局會於巡查時派發該單張到地產代理商舖，持牌人亦可到各區民政事務署索取。同時，單張的電子版本亦已上載至監管局網站（www.eaa.org.hk）的持牌人專區內。



Given that the “regulated tenancies” in respect of subdivided units under Part IVA of the Landlord and Tenant (Consolidation) Ordinance has taken effect in 2022, estate agents play an indispensable role in ensuring that the SDU tenancies are in line with the ordinance.

As such, the EAA issued Practice Circular (No. 22-01 (CR)) to provide relevant guidelines for licensees to follow. The EAA further launched a promotional leaflet summarising the key points of the Circular for licensees’ easy understanding and serves as a reminder. In short, licensees should:

1. Disclose their capacity in the transaction
2. Inform clients of the requirements on security of tenure and rent regulation
3. Explain to clients the implied mandatory terms
4. Draw clients’ attention to the relevant offences and apportioned amounts
5. Remember the stamping of tenancy and submission of Notice of Tenancy (Form AR2)



The EAA encourages licensees to refer to the leaflet for details when handling SDU tenancies. The leaflet will be distributed to estate agency shops during EAA’s visits and licensees could also obtain the printed copies at Home Affairs Enquiry Centres in various districts. The electronic version can also be viewed at Licensees Corner of the EAA website (www.eaa.org.hk).

