

Estate Agents Authority - Policy on Criminal Conviction

Circumstances under which a Licence Application will Normally be Refused or a Licence Revoked

Guidelines	Offence
Application will normally be refused and/or a licence revoked	Currently on probation, bound over (with conviction), remission or suspended sentence
	Released from imprisonment for less than THREE years
Application will normally be refused and/or licence revoked if an individual was convicted of any of these offences within a period of FIVE years prior to the date when his case (licence application / revocation of licence, as the case may be) is being determined by the EAA	Any offence (other than an offence under the Estate Agents Ordinance), being a conviction as regards which it was necessary to find that the person acted fraudulently, corruptly or dishonestly
	Any offence under the Estate Agents Ordinance in respect of which the individual has been sentenced to imprisonment (whether suspended or not)
	Any sexual offence or offence involving indecent conduct committed in the course of conducting estate agency work (irrespective of the sentence meted out by the court) or in respect of which the individual has been sentenced to imprisonment (whether suspended or not)
	Any offence involving violence committed in the course of conducting estate agency work or during such time when the licence status of the offender was known to the general public ¹
	Any offence involving violence committed in the course of engaging in any promotional activities relating to the sale of first-hand properties, while the individual was then not holder of a valid licence
Application will normally be refused and/or licence revoked if the individual was convicted of any of these offences within a period of THREE years prior to the date when his case (licence application / revocation of licence, as the case may be) is being determined by the EAA	Any offence under the Estate Agents Ordinance (other than one in respect of which the individual has been sentenced to imprisonment (whether suspended or not))
	Any sexual offence or offence involving indecent conduct not committed in the course of conducting estate agency work (other than one in respect of which the individual has been sentenced to imprisonment (whether suspended or not))

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¹ This paragraph shall not apply to licence applicants / former licensees who have been convicted of any such offence and whose licence applications / licences have been refused / revoked by the Licensing Committee of the EAA on or before 30th November 2018. Such application would be separately considered by the Licensing Committee on a case-by-case basis.