



**The EAA is concerned about suspected unlicensed estate agency work
by a property management company**

(12 December 2012) The Estate Agents Authority (EAA) recently received a complaint alleging that a property management company had instructed its caretakers to conduct unlicensed estate agency work, and is now investigating the complaint. In this connection, the EAA has issued a letter to property management companies reminding them not to cause caretakers or other staff who are not licensed estate agents to conduct unlicensed estate agency work.

The complaint alleged that a property management company had instructed its caretakers to collect information pertaining to the sale / purchase / lease of properties from residents who wished to acquire or dispose of their properties, and pass the information they collected to estate agencies for a referral fee.

According to the Estate Agents Ordinance (EAO), estate agency work has a wide meaning. 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, any person / company engaging in such referral work is required to hold a licence under the EAO.

EAA Chief Executive Officer Mr Augustine Ng said, “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.” He added that regarding the complaint, the EAA was collecting evidence and if the case was supported by prima facie evidence, it would be referred to the Police.

Mr Ng also pointed out that the EAA had issued a letter to property management companies reminding them 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



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The EAA has also issued a letter reminding licensees not to engage in activities which may involve unlicensed estate agency work carried out by caretakers or staff of property management companies in contravention of the EAO. The letter further reminded licensees that offering any advantage (e.g. fee / commission) to caretakers or staff of property management companies for referral of business may contravene the Prevention of Bribery Ordinance.

The letters referred to above have been uploaded to the EAA website for public reference.

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