



**EAA new policy prolongs the ban
on persons convicted of violent crimes**

(16 November 2018) With a view to enhancing the effectiveness in monitoring the discipline and practice of estate agents at first-sale sites, the Estate Agents Authority (“EAA”) decided to revise its licensing policy for cases in which licensees have been convicted of any offence involving violence when conducting estate agency work. Under the new policy, the period for which the licence of such cases will be revoked and not being granted a new one has been extended from three years to five years. The new policy will take effect on 1 December 2018.

In light of the earlier fighting incidents that occurred at the sale-sites of first-hand residential properties, a number of measures have been taken by the EAA to improve the order and behaviour of estate agents. Further to the Charter on the Sales of First-hand Residential Properties entered into by property developers and the recently issued new Practice Circular No.18-03 (CR) on Order at First-sale Sites of Residential Properties, the EAA decided to revise the abovementioned licensing policy to prolong the ban for those who commit violence at first-sale sites.

The current three-year policy to refuse a licence application / revoke a licence will be extended to five years from 1 December 2018 in cases where licensees have been convicted of any offence involving violence when conducting estate agency work or when the licence status of the offenders was known to the general public; or where the individual, not being a holder of a valid licence, committed any offence involving violence in the course of engaging in promotional activities relating to the sale of first-hand properties. In other words, those who commit violence at first-sale sites will face a five-year ban and cannot practice in the estate agency trade as a licensee during such period.

“Violent behaviour committed by estate agents while in practice is



absolutely unacceptable as it brings disrepute to the entire trade,” Ms Ruby Hon Yuen-ping, Chief Executive Officer of the EAA said. “By extending the three-year ban to five years, we hope that the order at first-sale sites will improve as licensees/non-licensees should think twice before acting. Violent behaviour may cost them five years out of their business.” She added.

In addition to extending the three-year ban for cases of violent behaviour to five years, the new five-year ban will also be extended to cases involving sexual offences and offences of indecent conduct committed at the time the offender was carrying out estate agency work, irrespective of the sentence meted out by the court, as these offences would have a severe impact on the personal safety or psychological well-being of a client.

At the same time, the new Practice Circular No.18-03 (CR) on Order at First-sale Sites of Residential Properties will also take effect on 1 December 2018. Estate agents are advised to read the Circular in detail. Those who fail to comply with the guidelines may be disciplined by the EAA.

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