



## Charter on Good Practices of Estate Agents in Handling Subdivided Unit Tenancy

(12 September 2023) With a view to facilitating the good practices in handling the tenancies of subdivided units (“SDU”), the Estate Agents Authority (“EAA”) assisted the estate agency trade to roll out the Charter on Good Practice of Estate Agents in Handling Subdivided Unit Tenancy (“the Charter”) . A signing ceremony of the Charter was held today.

The EAA firmly believes that good practices in handling SDU tenancies can safeguard the interests of both the tenants and the landlords, which is also in line with the professional ethics and standards of estate agents. Hence, the EAA encourages the estate agency trade to go the extra mile and display their professionalism by signing the Charter to assist landlords and tenants in understanding and complying with the relevant requirements of tenancy control on SDUs. Participating estate agency shops are committed to adhere to **two “wont’s”** and **six “wills”** regarding the good practices of handling SDU tenancies. The full commitments of the Charter are listed in the **Annex**.

The signing ceremony today was officiated by Mr Victor TAI Sheung-shing, JP, the Under Secretary for Housing, and Mr Simon SIU Chak-yu, BBS, JP, Chairman of the EAA. Participating estate agency shops come from five major trade associations, and were represented by the chairmen/vice chairmen of the associations at today’s signing ceremony. As of today, a total of 62 estate agency shops have already signed the Charter.

During the ceremony, the Under Secretary for Housing, Mr Victor TAI Sheung-shing, JP, expressed gratitude to the EAA for promoting the Charter and the support from the estate agency trade. He said that the Housing Bureau and the Rating and Valuation Department (“RVD”) will continue to spare no effort to enforce and promote Part IVA



of the Landlord and Tenant (Consolidation) Ordinance (Cap. 7) (“the Ordinance”), which regulates SDU tenancies. As of end August 2023, the RVD had issued warning letters to about 1200 landlords contravening the requirements in relation to the submission of Notice of Tenancy (i.e. Form AR2). The RVD has also successfully prosecuted seven landlords contravening various requirements of the Ordinance. The Government encourages the EAA, the estate agency trade and the landlords to work together to encourage abiding by the requirements under the Ordinance, so as to better protect the well-being of the SDU tenants.

The Chairman of the EAA, Mr Simon SIU Chak-yu, BBS, JP said at the ceremony, “The EAA appreciates the support of estate agency trade associations and the participating estate agency shops. Through this Charter, we hope that the estate agency trade can demonstrate to the public their good practices in handling SDU tenancies and their professionalism, and show their care for the grassroots of the society. We encourage more estate agency shops to participate in the Charter.”

The names of the participating estate agency shops will be included in the online list on the EAA’s website and these shops can post the Charter logo sticker on their shop windows and display promotional collaterals inside their shops. There is no deadline for participating in the Charter and all interested estate agency shops are encouraged to download the enrolment form from the EAA’s website and join the Charter.

Regarding the handling of SDU tenancies by estate agents, the EAA not only has issued a relevant Practice Circular (No. 22-01 (CR)) providing guidelines for licensees to follow but it has also conducted inspections and educational visits to the estate agency shops. In addition, in July and August 2023, the EAA and the RVD jointly conducted two rounds of educational visits, covering 34 estate agency shops in Mong Kok and 24 estate agency shops in Sham Shui Po respectively to enhance the trade’s understanding of the Ordinance and the relevant guidelines issued by the EAA. In the



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future, the EAA will continue to facilitate the trade's good practices in handling SDU tenancies through various channels.



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### Commitment Statement

*The two “won’ts”:*

1. We **won’t** assist the landlord to overcharge for public utilities and services
2. We **won’t** assist the landlord to contravene the requirements for security of tenure

*The six “wills”:*

1. We **will** explain to the landlord the legal responsibility for stamping an SDU tenancy agreement
2. We **will** remind the landlord in writing to provide the tenant with rent receipts within seven days and submit Form AR2 within 60 days
3. We **will** provide Form AR3 to the tenant
4. We **will** adopt the SDU tenancy agreement template recommended by the Government or the EAA
5. We **will** explain the terms of the SDU tenancy agreement to the tenant clearly
6. We **will** arrange training for our employees



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Photo captions:



Under Secretary for Housing, Mr Victor TAI Sheung-shing, JP, delivers a speech at the signing ceremony of the Charter.



EAA Chairman Mr Simon Siu Chak-yu, BBS, JP, delivers a speech at the signing ceremony of the Charter.



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The representatives of participating estate agency shops at the signing ceremony of the Charter.





The Under Secretary for Housing, Mr Victor TAI Sheung-shing, JP (sixth from left), the EAA Chairman Mr Simon SIU Chak-yu, BBS, JP (seventh from left) and the CEO of the EAA Ms Ruby HON (fifth from left) with the representatives of the participating estate agency shops at the signing ceremony of the Charter.



The participating estate agency shops can post the Charter logo sticker on shop windows and display promotional collaterals inside the shops.



The staff of the EAA and the RVD conducted two rounds of educational visits at estate agency shops in July and August this year.

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