

在《專業天地》內，我們會解答持牌人的一些常見提問。

In *Horizons*, we will answer questions commonly asked by licensees.

? 如一名持牌人在其處理《業主與租客（綜合）條例》（「《條例》」）第IVA部下的分間單位（俗稱「劏房」）租賃中亦是該租賃的業主，他可否要求租客向他支付佣金？

✓ 不可以。業主如要求租客就有關租賃支付或就有關租賃以其他方式從租客收取不屬以下種類的款項：租金、租金按金、付還任何《條例》第IVA部指明的公用設施及服務的收費，及因租客違反租賃引致的損害賠償，將構成違反《條例》的罪行。

因此，持牌人在題述的情況不可要求租客向他支付或以其他方式從租客收取任何佣金、報酬或其他名目的款項。

詳情請參閱監管局發出的有關出租《業主與租客（綜合）條例》第IVA部下的分間單位的執業通告（執業通告編號22-01（CR））第（14）及（15）段。

? If a licensee, in the handling of a tenancy of subdivided unit (“SDU”) under Part IVA of the Landlord and Tenant (Consolidation) Ordinance (“Ordinance”), is also the landlord of that tenancy, can he request the tenant to pay commission to him?

✓ No. It would constitute an offence under the Ordinance if the landlord requires the tenant to pay, or the landlord otherwise receives from the tenant, monies other than the rent, rental deposit, reimbursement of charges for any of the utilities and services specified by Part IVA of the Ordinance, and damages for the tenant’s breach of the tenancy.

Thus, the licensee in the above circumstances cannot require the tenant to pay or otherwise receive from the tenant any commission, remuneration or monies under other names.

For details, please refer to paragraphs (14) and (15) of the Practice Circular on Letting of Subdivided Units under Part IVA of the Landlord and Tenant (Consolidation) Ordinance (Practice Circular No. 22-01 (CR)) issued by the EAA.

