



**EAA introduces measures to
improve order at first-sale sites**

(4 December 2007) The Estate Agents Authority (EAA) will launch a series of initiatives with a view to improving order at first-sale sites.

Chairman of the EAA Licensing and Practice Committee Mr William Leung said, “EAA attaches importance to estate agents’ behaviour at first-sale sites. Given the recent revival of the property market, EAA deems it necessary to enhance enforcement to ensure that first sales are carried out in an orderly manner.”

He said recently, EAA had noticed people, believed to be estate agents, touting on roads near first-sale sites and disregarding their own safety and that of others. EAA found such behaviour unacceptable.

Mr Leung said EAA had also received complaints from the public, alleging estate agents had harassed pedestrians on the street, on footbridges and at entrances to shopping malls, housing estates and railway stations.

The MTRC and the former KCRC had previously told EAA of their concern when new properties near stations were put up for sale or when show flats for such properties were located near stations. This resulted in large numbers of practitioners gathering at railway premises to tout, causing a nuisance to passengers.

Mr Leung said estate agency management must improve agents’ behaviour at first sales.

EAA has already liaised with the MTRC and relevant government departments, and will launch a series of initiatives with a view to improving order at first-sale sites.

The initiatives include:



- i Establishing a new mechanism with MTRC to prevent estate agents causing a nuisance to passengers or blocking entrances or gates.

The EAA's enforcement team has met with the MTRC management and mutually agreed on the following:

- To closely liaise on the activity of estate agents on and around MTR premises during first sales, and to take joint enforcement action when necessary.
- To refer cases of practitioners breaching the Mass Transit Railway By-laws or Mass Transit Railway (North-west Railway) Bylaw to EAA. The Authority will then investigate such cases. Should prima-facie evidence be established, EAA will submit the case to its Disciplinary Committee for an inquiry hearing. MTRC has pledged to fully assist EAA in its investigations.

- ii Extending inspections

In addition to inspecting property sales sites, EAA will also pay attention to nearby railway stations and shuttle bus stations which bring potential buyers to show flats.

If required, EAA will deploy more staff to increase the frequency and duration of inspections.

- iii Making estate agency management accountable

Under Section 15 of the Estate Agents Practice (General Duties and Hong Kong Residential Properties) Regulation (the Practice Regulation), an estate agency's on-site supervisor must ensure all practitioners comply with the Estate Agents Ordinance as well as keep a record of staff at a certain first sales site on a certain day. EAA will inspect these staff records when necessary.



Fighting and misconduct at first-sale sites and/or employing non-licensees to carry out estate agency work are criminal offences and will be referred to the Police. The employer or manager of such a practitioner may also be in breach of Section 15 of the Practice Regulation.

iv Issuing new practice guidelines

A practice circular will be issued on eight areas related to order at first-sale sites. Estate agencies and front-line practitioners are required to comply with the circular.

In addition, in the past, EAA issued verbal advice to practitioners who caused a nuisance to passers-by when touting on roads and at railway premises. From now on, EAA will be more stringent in enforcement. Apart from issuing advice and probing into alleged misconduct, EAA will also make reports to the Police when necessary.

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