

ESTATE AGENTS ORDINANCE (Chapter 511)

Pursuant to section 30 of the Estate Agents Ordinance, it is hereby notified that the Disciplinary Committee of Estate Agents Authority has exercised the following disciplinary power against the following licensee:—

Licence No.

S-357878

Name of Licensee

CHAN Ka Kwan

Matter Concerned

The licensee (i) refused the purchaser's request to add a warranty clause in the provisional agreement for sale and purchase ('PASP') to the effect that no death incident or suicide had occurred in the property concerned, and/or failed to relay such request to the vendor, and/or failed to advise the purchaser to include such a clause in the PASP prior to the signing of the PASP by the purchaser; and (ii) failed to ensure that the representative signing on behalf of the absent vendor had obtained authorization from the latter before arranging for the representative to sign the PASP.

Date of Decision

9 March 2016

Decision on Disciplinary Power Exercised

1. In respect of the aforesaid matter (i):—
 - (a) The licensee is reprimanded; and
 - (b) A condition is attached to the licensee's licence requiring the licensee to acquire 12 points from core subjects within 12 months under the Continuing Professional Development Scheme of the Estate Agents Authority.
2. In respect of the aforesaid matter (ii):—
 - (a) The licensee is reprimanded; and
 - (b) A condition is attached to the licensee's licence requiring the licensee to acquire 12 points from core subjects within 12 months under the Continuing Professional Development Scheme of the Estate Agents Authority, and one of the core subjects must be on Estate Agents Ordinance and its subsidiary legislation, Code of Ethics and Practice Circulars ('the said core subject') and the points acquired from the said core subject shall not include those acquired under e-Quiz or web-based distance learning.

With regard to paragraphs 1(b) and 2(b) above, the condition being attached to the licence concerned of the licensee is as follows:—

'The above-named licensee shall, during the 24 months from 29 March 2016 to 28 March 2018, acquire 24 points from core subjects under the Continuing Professional Development Scheme of the Estate Agents Authority, and one of the core subjects must be on Estate Agents Ordinance and its subsidiary legislation, Code of Ethics and Practice Circulars ('the said core subject') and the points acquired from the said core subject shall not include those acquired under e-Quiz or web-based distance learning.'