

S/N 8/2014 – Advertisements Containing Inappropriate Content, False Claims and Transaction Information about Specific Property

Facts of Case

The Respondent had published and distributed flyers to members of the public at a condominium which contained inappropriate content.

The Respondent had included in the flyers the following statements:

“Before Sex, you help each other undress, after sex you dress yourself. Moral of the story: In Life, nobody helps you once you are screwed”; and “Get monkeys and you get monkey results.”

In the same flyer, the Respondent claimed that he had completed 2 sale transactions at that particular condominium when he was in no way involved in either transaction.

The Respondent had also included transaction information of those 2 properties, namely the sale and purchase price, without obtaining consent from any of the parties in the transactions.

Charges

The Respondent was charged for the following offences:

Charge 1

For conduct that may bring discredit or disrepute to the estate agency trade or industry by using inappropriate language in his advertisement flyers, in contravention of paragraph 7(1) of the Code of Ethics and Professional Client Care.

Charge 2

For making false representations or claims that he had completed two sale and purchase transactions when he was not even involved in either transaction, in contravention of paragraph 12(4)(a) of the Code of Ethics and Professional Client Care

Charges 3 & 4

For advertising transaction information i.e. the sale and purchase price about two specific properties without the consent in writing of the parties to the transaction, in contravention of paragraph 12(4)(f) of the Code of Ethics and Professional Client Care

Outcome

The Respondent pleaded guilty to all 4 charges.

The DC imposed the following penalties on the Respondent:

Charge 1: A financial penalty of \$1,500

Charge 2: A financial penalty of \$1,500

Note: This case was referred to a CEA Disciplinary Committee (DC) before the operationalisation of the Estate Agents (Amendment) Act 2020 on 30 July 2021. With the Act amendments, the maximum financial penalty for disciplinary breaches has been raised and a DC can impose a higher financial penalty on errant offenders.

Charge 3: Suspension of 4 weeks and a financial penalty of \$1,500

Charge 4: Suspension of 4 weeks and a financial penalty of \$1,500

The suspensions were ordered to run concurrently and fixed costs of \$1,000 were also imposed upon the Respondent.