

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.

S/N 5/2014 - Advertising Properties Without Owner's Consent

Facts of the Case

The Respondent, a registered salesperson, put up advertisements online for the sale of two properties without obtaining the owners' consent to advertise the said properties for sale.

Charges

The Respondent faced four charges in total. As she pleaded guilty at the pre-trial stage, CEA proceeded with the following two charges and the remaining two charges were taken into consideration for purposes of imposition of penalties.

Charge 1

For failing to obtain the consent of the owner of a property before advertising it, the Respondent has failed to comply with Paragraph 3.8 of the Practice Guidelines on Ethical Advertising 2011, in contravention of Paragraph 4(1) read with 4(2)(a) of the Code of Ethics and Professional Client Care.

Charge 4

For failing to obtain the consent of the owner of another property before advertising it, the Respondent has failed to comply with Paragraph 3.8 of the Practice Guidelines on Ethical Advertising 2011, in contravention of Paragraph 4(1) read with 4(2)(a) of the Code of Ethics and Professional Client Care.

Charges Taken into Consideration

The two remaining charges (i.e. Charges 2 and 3), which related to the same property referred to in Charge 1, for contravention of the same paragraphs of the Regulations were taken into consideration for the purpose of imposition of penalties.

Outcome

The Respondent pleaded guilty to both proceeded charges and expressed remorse.

The DC accepted that the benchmark for such offences is a financial penalty of about \$3,000.

Considering the facts of this case, the DC ordered the Respondent to pay a financial penalty of \$3,000 in respect of the Charge 1 and \$2,700 in respect of Charge 2.