

Property agency boss guilty of offering \$323,000 bribes for business

9 January 2014

A shareholder of a property agency, charged by the ICAC, was today (Thursday) convicted at the Kowloon City Magistracy of offering over \$323,000 in bribes to an agent of another property agency over referral of clients.

Ryo Ng Ka-tat, 35, a beneficial shareholder of Delightful Property Agency Limited (Delightful), was found guilty of two counts of offering an advantage to an agent, contrary to Section 9(2)(a) of the Prevention of Bribery Ordinance (POBO).

Magistrate Mr Abu Bakar bin Wahab adjourned the case until February 7 this year for sentence, pending background and community service order reports. The defendant was granted cash bail of \$1,500.

The court heard that at the material time, the defendant was one of the shareholders of Delightful. Lam Ho-tan was a property agent of Midland Realty (Midland), which did not allow him to accept any advantages in relation to its business or refer its clients to other property agencies.

In August 2010, the defendant learnt from Lam that a client of Midland wanted to purchase a property in Tsimshatsui.

The defendant proposed that the property transaction be handled by Delightful and offered to pay Lam about 70 per cent of the commission Delightful received as a reward for referring the client to Delightful.

Lam eventually procured the transaction of the property at \$6.68 million by the Midland client through Delightful. Delightful received \$66,800 as commission.

On November 16, 2010, the defendant deposited a cheque for \$45,260 issued by Delightful into the bank account of Lam's younger brother. Lam then got the bribe money from his brother.

The court heard that on another occasion in September 2010, Lam referred another client of Midland to Delightful.

After purchasing another property at \$40 million in Tsimshatsui, the client paid \$400,000 in commission to Delightful.

On December 3, 2010, the defendant deposited a cheque for \$278,500 into the bank account of Lam's younger brother. Lam then took back the bribe money from his brother, the court was told.

Lam, 35, who was also charged by the ICAC, earlier pleaded guilty to one count of agent accepting an advantage, contrary to 9(1)(a) of the POBO. He will also be sentenced at the Kowloon City Magistracy on February 7.

Midland had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Liza Yip, assisted by ICAC officer David Ng.

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物業公司股東就轉介客戶行賄三十 二萬三千元罪成候判

2014年1月9日

一名物業代理公司股東，就轉介客戶向另一間物業代理公司的一名地產代理提供共逾三十二萬三千元賄款，早前被廉政公署拘控。被告今日（星期四）在九龍城裁判法院被裁定罪名成立。

吳嘉達，三十五歲，鼎來豐物業代理有限公司（「鼎來豐」）實益股東，被裁定兩項向代理人提供利益罪名成立，違反《防止賄賂條例》第9(2)(a)條。

裁判官馬保華將案件押後至本年二月七日判刑，以待被告的背景及社會服務令報告。被告獲准以現金一千五百元保釋。

案情透露，被告是「鼎來豐」其中一名股東。林昊騰則是美聯物業的地產代理，而美聯物業並不容許林就公司業務收受任何利益或轉介公司客戶予其他物業代理公司。

二〇一〇年八月，被告從林得知一名美聯物業客戶有意購置尖沙咀一個單位。

被告遂建議由「鼎來豐」處理這宗物業交易，並向林提供「鼎來豐」收取佣金的約百分之七十，作為轉介該客戶予「鼎來豐」的報酬。

林最終透過「鼎來豐」促致該美聯物業客戶以六百六十八萬元購買有關單位。「鼎來豐」收取六萬六千八百元佣金。

二〇一〇年十一月十六日，被告將一張由「鼎來豐」開出的四萬五千二百六十元支票存入林的弟弟的銀行戶口。林其後從其弟手上取回有關賄款。

案情透露，林於二〇一〇年九月轉介另一名美聯物業客戶予「鼎來豐」。

有關客戶以四千萬元購置尖沙咀另一個單位後，向「鼎來豐」支付四十萬元佣金。

二〇一〇年十二月三日，被告將一張二十七萬八千五百元的支票存入林的弟弟的銀行戶口。林其後從其弟手上取回有關賄款。

林，三十五歲，亦被廉署拘控。他早前承認一項代理人接受利益罪名，違犯《防止賄賂條例》第9(1)(a)條。案件同押後至二月七日在九龍城裁判法院判刑。

美聯物業在廉署調查案件期間提供全面協助。

控方今日由大律師葉瑞紅代表出庭，並由廉署人員吳偉權協助。

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