

Seven charged with bribery over referral of mortgage clients

27 May 2016

A manager of a mortgage broker and six former property agents of a property agency have been charged by the ICAC today (Friday) with offering and accepting illegal commissions totalling over \$34,000 respectively in relation to referral of clients for mortgage services.

Kat Choi Ching-man, 45, a senior account manager of m.Mortgage Realty Strategic (HK) Services Limited (MRSSL); Joe Ling Yiu-cho, 42, Chiu Chor-wa, 49, So Kin-shing, 35, Wu Ka-man, 29, Lau Chin-yim, 30, and Leung Ho-wai, 35, all former property agents of Centaline Property Agency Limited (CPA), face a total of 15 bribery charges.

The defendants will appear in the Eastern Magistracy next Tuesday (May 31) for plea in two separate cases.

In the first case, Choi faces seven counts of offering an advantage to an agent, contrary to Section 9(2)(a) of the Prevention of Bribery Ordinance (POBO).

Ling and Chiu each faces two counts of agent accepting an advantage, contrary to Section 9(1)(a) of the POBO, while So, Wu and Lau each faces one similar offence.

At the material time, Choi was a senior account manager of MRSSL, while Ling, Chiu, So, Wu and Lau were property agents of CPA posted to its various branches.

Centaline Mortgage Broker Limited (CMB), a company associated with CPA, MRSSL and Double Force Limited (DFL) were brokers providing mortgage referral services.

Should clients of CPA require mortgage related services, its property agents were obliged to refer them to CMB. Property agents of CPA were not allowed to accept commissions as rewards for referring its clients to any company other than CMB for mortgage services.

Seven of the charges allege that between December 4, 2012 and June 11, 2013, Choi offered a total of \$28,250 to Ling, Chiu, So, Wu and Lau as rewards for them to refer clients of CPA to MRSSL or DFL for mortgage services.

Another two charges allege Ling of accepting \$8,603 and \$3,289 from Choi for the same purpose, while two other charges allege Chiu of accepting \$5,829 and \$992 from Choi for the same purpose.

The remaining three charges allege So, Wu and Lau of accepting \$3,820, \$2,466 and \$3,251 from Choi respectively for the same purpose.

In another case, Leung faces one count of agent accepting an advantage, contrary to Section 9(1)(a) of the POBO.

The charge alleges that in March 2013, Leung accepted \$5,762 from a manager of a company associated with MRSSL as a reward for referring a client of CPA to MRSSL and/or DFL for mortgage services.

CPA has rendered full assistance to the ICAC during its investigation.

The defendants have been released on ICAC bail, pending their court appearance next Tuesday.

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廉署起訴七人疑涉轉介按揭客戶貪污案

2016年5月27日

廉政公署今日(星期五)落案起訴一名按揭經紀公司經理及六名地產代理公司前物業代表，控告他們涉嫌就轉介客戶接受按揭服務分別提供及收受非法佣金共逾三萬四千元。

蔡靜敏，四十五歲，按·熱點物業策略(香港)服務有限公司(按·熱點物業)高級客戶經理；凌耀祖，四十二歲，趙楚華，四十九歲，蘇建誠，三十五歲，胡嘉敏，二十九歲，劉靖焱，三十歲，及梁浩威，三十五歲，同為中原地產代理有限公司(中原地產)前物業代表，被控共十五項貪污罪名。

被告將於下星期二(五月三十一日)分兩案在東區裁判法院答辯。

在首宗案件，蔡靜敏被控七項向代理人提供利益罪名，涉嫌違反《防止賄賂條例》第9(2)(a)條。

凌耀祖及趙楚華各被控兩項代理人接受利益罪名，涉嫌違反《防止賄賂條例》第9(1)(a)條，而蘇建誠、胡嘉敏及劉靖焱則各被控一項相類罪名。

蔡靜敏於案發時是按·熱點物業高級客戶經理，而凌耀祖、趙楚華、蘇建誠、胡嘉敏及劉靖焱則為中原地產派駐不同分行的物業代表。

中原地產的相關公司中原按揭經紀有限公司(中原按揭)、按·熱點物業及承科有限公司(承科)是提供按揭轉介服務的經紀公司。

如中原地產的客戶需要按揭轉介服務，其物業代表必須將客戶轉介予中原按揭。中原地產的物業代表不准接受佣金作為轉介其公司的客戶予中原按揭以外的其他公司的報酬。

其中七項控罪指蔡靜敏涉嫌於二〇一二年十二月四日至二〇一三年六月十一日期間，向凌耀祖、趙楚華、蘇建誠、胡嘉敏及劉靖焱提供共二萬八千二百五十元，作為他們把中原地產多名客戶轉介給按·熱點物業或承科接受按揭服務的報酬。

另外兩項控罪指凌耀祖涉嫌以相同目的從蔡靜敏接受八千六百零三元及三千二百八十九元，而其他兩項控罪則指趙楚華涉嫌以相同目的從蔡靜敏接受五千八百二十九元及九百九十二元。

餘下三項控罪指蘇建誠、胡嘉敏及劉靖焱涉嫌以相同目的分別從蔡靜敏接受三千八百二十元、二千四百六十六元及三千二百五十一元。

在另一宗案件，梁浩威被控一項代理人接受利益罪名，涉嫌違反《防止賄賂條例》第9(1)(a)條。

控罪指梁浩威涉嫌於二〇一三年三月從按·熱點物業的相關公司一名經理接受五千七百六十二元，作為把中原地產一名客戶轉介給按·熱點物業及/或承科接受按揭服務的報酬。

中原地產在廉署調查案件期間提供全面協助。

被告已獲廉署准予保釋，以待下星期二應訊。

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