



## Press Releases

### **Ex-estate agent gets 10 months for bribery and fraud over property transaction**

**2017-12-5**

A former estate agent of a property agency, charged by the ICAC, was today (December 5) sentenced to 10 months in jail at the Eastern Magistracy for accepting an illegal commission of over \$114,700 for diverting business concerning a property transaction to another property agency, and defrauding purchasers of price differences amounting to \$400,000 in the transaction.

Willis Chiu Wai-lap, 48, former estate agent of Midland Realty International Limited (Midland Realty), was earlier found guilty of two charges – one of agent accepting an advantage, contrary to Section 9(1)(a) of the Prevention of Bribery Ordinance, and one of fraud, contrary to Section 16A of the Theft Ordinance.

In sentencing, Deputy Magistrate Mr Peter Hui Shiu-keung said the background report showed that the defendant did not frankly confess his guilt, but merely focused on his own commission, causing losses to Midland Realty. Hence, an immediate custodial sentence had to be imposed on him.

The deputy magistrate also ordered the defendant to pay a restitution of over \$114,700 to Midland Realty.

The court heard that at the material time, the defendant was a licensed estate agent of Midland Realty. In July 2015, he joined another property agency as senior sales manager.

In April 2015, an owner entrusted Midland Realty to sell his property and car parking spaces at a private residential estate in Victoria Road at an asking price of \$32 million.

After the defendant introduced the property to a couple, the owner was willing to reduce the asking price to \$31.1 million on June 12, 2015.

On the following day, the defendant told the couple that he was going to join another property agency.

The court heard that on June 14, 2015, the defendant suggested the couple make an offer of \$31.5 million to purchase the property.

The couple acceded to the suggestion and signed a provisional sale and purchase agreement of the property agency to purchase the property at \$31.5 million. Hence, the couple were misled to pay \$400,000 more to purchase the property.

The owner and the couple paid commissions totalling \$357,500 to the property agency.

As a result, the defendant received over \$114,700 out of those commissions as a reward for diverting business concerning the property transaction from Midland Realty to the property agency, the court was told.

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

The prosecution was today represented by prosecuting counsel Stephen Lau, assisted by ICAC officer Cindy Ho.

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## 新聞公佈

### 前地產代理就物業交易貪污欺詐判囚十個月

2017年12月5日

一名物業代理公司前地產代理收受十一萬四千七百多元的非法佣金，將一宗物業交易的生意轉交另一間物業代理公司，以及在有關交易中欺詐買家涉「食價」四十萬元，早前被廉政公署起訴。被告今日(十二月五日)在東區裁判法院被判入獄十個月。

趙韋立，四十八歲，美聯物業代理有限公司(美聯物業)前地產代理，早前被裁定兩項罪名成立，即一項代理人接受利益罪名，違反《防止賄賂條例》第9(1)(a)條，及一項欺詐，違反《盜竊罪條例》第16A條。

暫委裁判官許肇強判刑時稱，背景報告顯示被告沒有坦白承認罪行，但只著眼於自己的佣金，令美聯物業招致損失，故此須判處他即時入獄。

暫委裁判官亦命令被告須向美聯物業歸還逾十一萬四千七百元。

案情透露，被告於案發時是美聯物業的持牌地產代理。他於二〇一五年七月加入另一間物業代理公司擔任高級客戶經理。

一名業主於二〇一五年四月委托美聯物業替他出售一個位於域多利道私人屋苑的單位連多個車位，售價為三千二百萬元。

被告向一對夫婦介紹該物業後，該業主於二〇一五年六月十二日願意將售價降至三千一百一十萬元。

被告於翌日知會該對夫婦他將會加入另一間物業代理公司。

案情透露，被告於二〇一五年六月十四日建議該對夫婦提出以三千一百五十萬元購入該物業。

該對夫婦同意有關建議，並簽署有關物業代理公司一份臨時買賣合約，以三千一百五十萬元購入該物業。因此，該對夫婦被誤導而在購入該物業時多支付四十萬元。

該業主及該對夫婦支付共三十五萬七千五百元的佣金予有關物業代理公司。

案情指，被告從上述佣金收取其中逾十一萬四千七百元，作為將該宗物業交易的生意由美聯物業轉交有關物業代理公司的報酬。

美聯物業在廉署調查案件期間提供全面協助。

控方今日由律師劉永強代表出庭，並由廉署人員何佩霞協助。

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