



Press Releases

Ex-agents in court for \$170,000 fraud over property deals

2018-2-23

Two former agents of a property agency appeared at the West Kowloon Magistracy today (February 23) after being charged by the ICAC in two cases for their roles in defrauding commissions amounting to around \$170,000 in property transactions.

Ng Kwok-hung, 28, and Cho Wing-keung, 32, both former property agents of Home Fantasy Property Consultants (HFP), who were charged on Wednesday (February 21), each faced a charge of fraud, contrary to Section 16A of the Theft Ordinance.

No plea was taken today. Acting Principal Magistrate Ms Ada Yim Shun-ye adjourned the two cases to April 6 for plea.

The cases arose from a corruption complaint. Subsequent ICAC enquiries revealed the above alleged offences.

In the first case, Ng Kwok-hung was a senior property consultant of HFP at the material time, and was required to report to HFP every property transaction procured by him. He left HFP on December 20, 2016, and joined another property agency on December 22, 2016.

The charge alleged that between December 19, 2016 and April 18, 2017, the defendant, by deceit, arranged a vendor and a buyer to enter into an undertaking on December 19, 2016 to proceed with the sale and purchase of a flat of a Home Ownership Scheme (HOS) estate in Mong Kok on terms set out in the undertaking, without naming HFP as the referral estate agency to which the duo should pay their respective share of commission for signing the undertaking; did not disclose to HFP that he had caused them to enter into the undertaking during the course of his employment on December 19, 2016; and arranged them to enter into a provisional agreement for sale and purchase in respect of the HOS flat on December 22, 2016, naming that property agency as the referral estate agency of the transaction.

It was alleged that with intent to defraud, the defendant caused the duo to pay the commission payable to HFP under the undertaking, namely \$47,800 and \$33,460 respectively, to that property agency, which resulted in benefit to him or that property agency, or prejudice to HFP or others.

In the second case, Cho Wing-keung was an account manager of HFP at the material time, and was required to report to HFP every property transaction procured by him. He left HFP on January 1, 2017 to join the above-mentioned property agency.

The charge alleged that between December 26, 2016 and February 25, 2017, the defendant, by deceit,

arranged a vendor and a buyer to enter into a provisional agreement for sale and purchase in respect of a flat of a private residential estate in Tai Kok Tsui on December 25, 2016, naming that property agency as the referral estate agency to which the duo should pay their respective share of commission; and did not disclose to HFP that he had concluded the transaction for the buyer during the course of his employment on December 25, 2016.

It was alleged that with intent to defraud, the defendant caused the buyer to pay the commission of \$88,000 payable to HFP for the transaction to that property agency, which resulted in benefit to him or that property agency, or prejudice to HFP or others.

The defendants in the above two cases were each granted cash bail of \$10,000. They were also ordered to reside at the reported addresses, inform the ICAC 24 hours prior to any change of address, and not to contact prosecution witnesses directly or indirectly.

HFP had rendered full assistance to the ICAC during its investigation into the cases.

The prosecution in the above two cases was today represented by ICAC officer Alchian Poon.

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新聞公佈

廉署起訴兩名前物業代理涉嫌欺詐十七萬元佣金今提堂

2018年2月23日

廉政公署分兩案起訴一間地產代理公司的兩名前物業代理，控告他們涉嫌就物業買賣交易欺詐共約十七萬元佣金。兩人今日(二月二十三日)在西九龍裁判法院提堂。

吳國洪，二十八歲，及曹永強，三十二歲，同為家天下物業代理(家天下)前物業代理，星期三(二月二十一日)各被控一項欺詐罪名，違反《盜竊罪條例》第16A條。

兩名被告今日無須答辯。署理主任裁判官嚴舜儀將兩宗案件押後至四月六日答辯。

廉署早前接獲貪污投訴，調查後揭發上述涉嫌罪行。

在首宗案件，吳國洪於案發時是家天下高級物業顧問，須向家天下報告他促成的每宗物業交易。他於二〇一六年十二月二十日離開家天下，並於二〇一六年十二月二十二日加入另一間地產代理公司。

控罪指被告涉嫌於二〇一六年十二月十九日至二〇一七年四月十八日期間，藉作欺騙，安排一名賣家及一名買家於二〇一六年十二月十九日簽訂一份承諾書，以按照該承諾書的條款就旺角一個居者有其屋計劃(居屋)屋苑單位繼續進行買賣交易，而沒有指明家天下為轉介地產代理，使該兩名人士簽署該承諾書後應向家天下支付他們各自的佣金；沒有向家天下披露他在受聘期間於二〇一六年十二月十九日促使了該兩名人士簽訂該承諾書；及安排該兩名人士於二〇一六年十二月二十二日，就該居屋單位簽訂一份臨時買賣合約，指明有關地產代理公司為該項交易的轉介地產代理。

被告涉嫌意圖詐騙而致使該兩名人士把根據該承諾書應向家天下支付的佣金，即分別為四萬七千八百元及三萬三千四百六十元，支付予該地產代理公司，導致他或該地產代理公司獲得利益，或家天下或其他人士蒙受不利。

在第二宗案件，曹永強於案發時是家天下客戶經理，須向家天下報告他促成的每宗物業交易。他於二〇一七年一月一日離開家天下並加入上述的地產代理公司。

控罪指被告涉嫌於二〇一六年十二月二十六日至二〇一七年二月二十五日期間，藉作欺騙，安排一名賣家及一名買家於二〇一六年十二月二十五日簽訂一份有關大角咀一個私人屋苑住宅單位的臨時買賣合約，指明該地產代理公司是轉介地產代理，該兩名人士應向有關地產代理公司支付他們各自的佣金；及沒有向家天下披露他在受聘期間於二〇一六年十二月二十五日為該買家完成了該項交易。

被告涉嫌意圖詐騙而致使該買家把應就該項交易向家天下支付的八萬八千元佣金，支付予該地產代理公司，導致他或該地產代理公司獲得利益，或家天下或其他人士蒙受不利。

上述兩宗案件的被告各獲准以現金一萬元保釋。兩人亦受命須在報住的地址居住、如更改地址須於二十四小時前通知廉署，以及不得直接或間接接觸控方證人。

家天下在廉署調查有關案件期間提供全面協助。

上述兩宗案件的控方今日均由廉署人員潘立峰代表出庭。

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