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Ex-bank staff in court for allegedly deceiving mortgage referral fees

28 September 2012

A former employee of a bank appeared at Kowloon City Magistracy today (Friday) after being charged by the ICAC with using false application forms to deceive mortgage referral fees totalling over \$19,500 from the bank.

Kwan Ka-wai, 31, a senior customer services officer formerly employed by Bank of China (Hong Kong) Limited (BOCHK), who was charged on Wednesday (September 26), faced five charges of agent using documents with intent to deceive his principal, contrary to Section 9(3) of the Prevention of Bribery Ordinance.

The defendant today pleaded not guilty to the charges. Acting Principal Magistrate Mr Peter Law Tak-chuen adjourned the case to October 26 this year for a pre-trial review.

At the material times, BOCHK ran a mortgage loan referral programme. Under the programme, referral fees in the amount of a certain percentage of the mortgage loans would be given to designated estate agencies which successfully referred business to the bank.

Being members of the Hong Kong Real Estate Agencies General Association (REAGA), the designated estate agencies could claim referral fees from BOCHK.

The charges alleged that between December 8, 2010 and March 14, 2011, the defendant used various documents, including five mortgage referral application forms, with intent to deceive BOCHK.

The application forms submitted by the defendant to BOCHK allegedly contained false or erroneous statements that the borrowers were referred to BOCHK by a member of REAGA. In fact, those borrowers were walk-in applicants handled by the defendant.

ICAC enquiries revealed that the sum of referral fees released by BOCHK amounted to over \$19,500. Out of the referral fees, over \$3,000 was allegedly shared by the defendant.

The defendant was granted cash bail of \$3,000. He was also ordered not to leave Hong Kong and not to interfere with prosecution witnesses.

The case arose from a corruption complaint. BOCHK had rendered full assistance to the ICAC during the investigation.

The prosecution was today represented by ICAC officer Angus Wong.

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