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Ex-manager of mortgage broker admits bribery over referral of mortgage clients

2017-2-14

A former manager of a mortgage broker, charged by the ICAC, today (February 14) admitted at the Eastern Magistracy that she had offered illegal commissions totalling about \$24,000 to five then property agents of a property agency in relation to referral of clients for mortgage services.

Kat Choi Ching-man, 45, a senior account manager formerly employed by m.Mortgage Realty Strategic (HK) Services Limited (MRSSL), pleaded guilty to five counts of offering an advantage to an agent, contrary to Section 9(2)(a) of the Prevention of Bribery Ordinance (POBO). The prosecution offered no evidence to three similar charges against her.

Magistrate Mr Jason Wan Siu-ming adjourned the case to February 27 this year for sentence, pending a community service order report. The defendant was remanded in the custody of the Correctional Services Department.

The court heard that at the material time, Choi was a senior account manager of MRSSL. Joe Ling Yiu-cho, Chiu Chor-wa, So Kin-shing, Wu Ka-man and Lau Chin-yim were property agents of Centaline Property Agency Limited (CPA) posted to its various branches.

MRSSL and its associated company Double Force Limited (DFL), and Centaline Mortgage Broker Limited (CMB), a broker associated with CPA, were brokers providing mortgage referral services. If a client of CPA required mortgage services, the client should be referred to CMB.

Hong Kong Real Estate Agencies General Association Limited (the association) was a trade association whose members were local property agencies. Among the members were MRSSL and DFL, the court heard.

For each successful referral by a member of the association, the bank or financial institution concerned would pay a commission to the association. After retaining five per cent of the commission as administrative fee, the association would pass the balance to the member.

Between December 4, 2012 and June 11, 2013, Choi offered a total of about \$24,000 to Ling, Chiu, So, Wu and Lau as rewards for referring eight clients of CPA, who bought six properties, to MRSSL or DFL for mortgage services, the court was told.

Ling, Chiu, So, Wu and Lau, aged from 30 to 53, were also charged by the ICAC for their roles in the scam. They earlier pleaded guilty to seven counts of agent accepting an advantage, contrary to Section 9(1)(a) of the POBO.

The court heard between December 4, 2012 and June 11, 2013, the five defendants accepted illegal commissions of \$28,250 in total from Choi as rewards for referring those clients of CPA to MRSSL or DFL for mortgage services.

Appearing in the Eastern Magistracy today, the five defendants had their case adjourned to February 28 this year, pending community service order reports. They were also ordered to pay the \$28,250 as restitution to CPA.

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

The prosecution was today represented by prosecuting counsel Marco Li, assisted by ICAC officer Billy Cheng.

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新聞公佈

按揭經紀公司前經理承認就轉介按揭客戶行賄候判

2017年2月14日

一名按揭經紀公司前經理提供共約二萬四千元非法佣金予一間地產代理公司五名時任物業代表，以轉介該地產代理公司客戶接受按揭服務，被廉政公署起訴。被告今日(二月十四日)在東區裁判法院承認控罪。

蔡靜敏，四十五歲，曾受僱於按·熱點物業策略(香港)服務有限公司(按·熱點)任職高級客戶經理，承認五項向代理人提供利益罪名，違反《防止賄賂條例》第9(2)(a)條。被告另外三項相類罪名則獲控方不提證供起訴。

裁判官溫紹明將案件押後至本年二月二十七日判刑，以待被告的社會服務令報告。被告暫時還押懲教署看管。

案情透露，蔡於案發時是按·熱點高級客戶經理，而凌耀祖、趙楚華、蘇建誠、胡嘉敏及劉靖焱則為中原地產代理有限公司(中原地產)派駐不同分行的物業代表。

按·熱點及其相關公司承科有限公司(承科)，以及中原地產的相關公司中原按揭經紀有限公司(中原按揭)，均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。

案情透露，香港地產代理商總會有限公司(總會)是一個商會組織，其會員為本地的地產代理公司。按·熱點及承科均是其會員。

就總會會員每宗成功轉介的個案，有關銀行或財務機構會向總會支付佣金。總會扣起佣金的百分之五作為行政費後，會把餘款轉交相關會員。

案情透露，蔡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、趙、蘇、胡及劉提供共約二萬四千元，作為他們把購買六個物業的八名中原地產客戶轉介給按·熱點或承科接受按揭服務的報酬。

凌、趙、蘇、胡及劉，年齡由三十歲至五十三歲，亦因涉及有關勾當而被廉署起訴。他們早前承認七項代理人接受利益罪名，違反《防止賄賂條例》第9(1)(a)條。

案情透露，該五名被告於二〇一二年十二月四日至二〇一三年六月十一日期間，從蔡接受共二萬八千二百五十元非法佣金，作為他們把中原地產客戶轉介給按·熱點或承科接受按揭服務的報酬。

五名被告今日於東區裁判法院應訊，案件押後至本年二月二十八日判刑，以待其社會服務令報告。他們並受命須向中原地產歸還涉案的二萬八千二百五十元作為賠償。

中原地產在廉署調查案件期間提供全面協助。

控方今日由大律師李國威代表出庭，並由廉署人員鄭龍栢協助。

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