

**FREQUENTLY ASKED QUESTIONS ON THE FIT AND PROPER CRITERIA
AND REHABILITATION GUIDELINES**

1. Are the fit and proper criteria only referring to those in Section 3(2)(a)(i) to (iv) of the Estate Agents Act?

No. Section (3)(2)(a)(i) to (iv) of the Estate Agents Act only lists four circumstances in which CEA could find the individual as not “fit and proper”. However, apart from this list, CEA can also consider other relevant facts and matters when determining if the individual is “fit and proper”.

2. What are the other relevant facts or matters which CEA uses to determine if an individual is fit and proper to be a property agent?

CEA considers the relevance of the offence to estate agency work, and if there is any disregard for the laws (especially those laws related to property transactions). CEA takes a firm stance towards errant property agents regardless of whether the offence is committed in a professional or personal capacity.

3. What is the purpose of rehabilitation?

Rehabilitation is a process for an offender to reflect, change and improve so that he will not re-offend. Under the Estate Agents Act, a property agent must fulfil the registration criteria, including being a “fit and proper” person. For consumer protection, CEA has a duty to ensure that an applicant is fit and proper to be registered as a property agent. If he is not fit and proper under Section 3(2) of the Estate Agents Act (e.g. he has been sentenced by the Courts for an offence involving violence), CEA would require him to observe a period of rehabilitation before he can be registered as a property agent.

4. How does CEA determine the rehabilitation period?

CEA assesses the rehabilitation period based on the facts and circumstances of each case. CEA takes into account the intent and consequence of the offence as well as taking reference from the rehabilitation periods for offences of a similar nature. The offence would be assessed on its level of severity, and the individual would likely have to observe a rehabilitation period of 12 to 18 months for less serious offences, and 18 to 36 months for serious offences.

5. Can I appeal against my rehabilitation period?

Yes. You may submit an appeal to CEA to reconsider its decision within 14 days after being notified of CEA’s decision to reject your registration application/renewal, or to revoke your registration. Alternatively, you may lodge an appeal with the Ministry of National Development (MND) Appeals Board, which is independent of CEA. Details of the appeal process can be found at this link: <https://www.cea.gov.sg/professionals/appeal-process>.

6. What do “offences of a similar nature” mean (as stated in CEA’s notice of revocation/non-renewal)? Can CEA provide some examples?

This refers to offences of comparable nature, severity or consequence. Some examples include but are not limited to:

- For offences involving dishonesty or fraud, this would involve offences such as theft, cheating, criminal breach of trust or other misappropriation of property.

- For offences involving violence, this would involve offences involving criminal force or hurt.

7. Can I apply to return to industry before the rehabilitation period is over? Do I have to do anything during my rehabilitation period to prove that I have completed it?

Yes, you may apply for registration as a property agent before the end of the rehabilitation period and will have to provide supporting information and documents to demonstrate that you have sufficiently rehabilitated. CEA will assess your application on a case-by-case basis to determine if you are fit and proper to return to the industry.

Alternatively, you may wait for the rehabilitation period to be over before applying for registration.

8. What do I need to show CEA in order to re-register as a property agent before the end of the rehabilitation period?

CEA will assess each application to take into consideration the relevance of the rehabilitation efforts in relation to the offence/wrongdoing, the passage of time since the individual committed the offence, and other relevant factors to determine whether the individual is “fit and proper” for RES registration. Some examples to demonstrate rehabilitation include:

- Voluntarily going for counselling or psychiatric treatment (where applicable).
- Taking training courses to upgrade yourself.
- Having committed no other offences during the rehabilitation period.
- Engaging in community service or charitable acts.

Please note that the completion of any of the above may not automatically mean that you have sufficiently rehabilitated to return to the industry.