

## **S/N 15/2014 – Bringing Disrepute by Physically Assaulting Client at HDB Hub and Toa Payoh Bus Interchange**

### **Facts of Case**

The Respondent had represented the seller in the sale of his HDB flat ("**the Property**").

The Respondent allegedly had advanced the seller a loan of \$5,000 sometime in November 2011 in relation to a sale and purchase transaction for the Property that fell through. The seller denied that such a loan was ever made.

On 9 March 2012, the seller had gone to his solicitors' office at HDB Hub (in Toa Payoh) to collect the proceeds from the successful sale of the Property. The Respondent was also proceeding to collect his commission payment from the same solicitors' office.

The seller was exiting the lift on the ground floor of the lift lobby of HDB Hub when the Respondent spotted him. The Respondent grabbed the seller by the shirt and pulled the seller out of the lift, demanding repayment of the alleged loan.

The Respondent then dragged the seller towards the Toa Payoh bus interchange. As he was dragging the seller, the Respondent hit the seller on the head repeatedly with a mobile phone, whilst aggressively demanding the repayment of the loan.

The seller finally managed to escape the Respondent by jumping onto the back of a slow moving lorry. The seller sought medical care at a clinic where he was referred to Tan Tock Seng Hospital.

The seller was diagnosed with minor head injury which included a superficial abrasion on his left cheek and a 2-cm laceration on the left side of his head. The seller was hospitalised for 5 days from 9 March to 13 March 2012. The seller was then given hospitalisation leave until 30 March 2012.

### **Charge**

The Respondent faced the following charge:

#### **Charge**

For conduct which may bring disrepute to the estate agency industry, namely physically assaulting his client by hitting him on the head repeatedly with a mobile phone causing notable head injuries, in contravention of paragraph 7(1) of the Code of Ethics and Professional Client Care.

**Note:** This case was referred to a CEA Disciplinary Committee (DC) before the operationalisation of the Estate Agents (Amendment) Act 2020 on 30 July 2021. With the Act amendments, the maximum financial penalty for disciplinary breaches has been raised and a DC can impose a higher financial penalty on errant offenders.

## **Outcome**

The Respondent pleaded guilty to the charge and the Disciplinary Committee imposed the following financial penalty and disciplinary order on the Respondent:

**Charge:** A financial penalty of \$5,000 and a suspension of 9 months.

Fixed costs of \$1,000 was imposed on the Respondent.