

**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.

### **S/N 3 – Bringing Disrepute by Sending Abusive SMS Messages**

#### Facts of Case

The Complainant had enquired with the Respondent about his advertisement for the rental of a HDB flat ('Flat').

The Respondent told her the Flat was for Indians only but tried to interest her in other HDB flats. The Complainant was not interested in the other suggested flats and decided to cease using the services of, and communicating with, the Respondent.

The Respondent then sent the Complainant a barrage of 51 SMS messages, many of which were abusive and vulgar, over the course of 7 days. Such conduct was unprovoked and the Complainant felt harassed, aggrieved and insulted by his numerous SMS messages.

#### Charge

The Respondent was charged for using harassing tactics, in sending the numerous abusive and vulgar SMS messages, that may bring disrepute to the estate agency industry, in contravention of paragraph 7(1) read with paragraph 7(2)(c) of the Code of Ethics and Professional Client Care.

#### Outcome

The Respondent pleaded guilty to the Charge and the DC imposed a financial penalty of \$2,500 upon him. The Respondent was also ordered to pay fixed costs of \$1,000 to CEA.