

**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 12/2014 – Misrepresenting Queue Number at Property Launch to Client**

### **Facts of Case**

The Complainant was interested to purchase a unit at the launch of Bedok Residences and engaged the Respondent as his salesperson.

The Respondent told the Complainant that she had only managed to obtain for him number 192 in the queue at the showflat. Thereafter, another salesperson offered queue number 80 to the Complainant. He then asked the Respondent if she could get him a better queue number.

Subsequently, the Respondent told the Complainant that she had obtained a confirmed queue number 30 for him. The Complainant then declined the queue number 80 that was offered to him by the other salesperson.

The Respondent alleged that an unidentified male salesperson had offered queue number 30 to her if his own client were to back out of the queue but she did not tell the Complainant about this.

On the day of the project launch, the Respondent told the Complainant that she could not find the male salesperson who had offered her the queue number 30. The Complainant ultimately went into the showflat with the assistance of another salesperson.

### **Charges**

The Respondent was charged for the following offences:

#### **Charge 1**

For failing to protect her client's interest by disclosing that queue number 30 was contingent upon the withdrawal from the queue by the client of the other salesperson, in contravention of paragraph 6(1) read with paragraph 6(2)(a) of the Code of Ethics and Professional Client Care.

#### **Charge 2**

For misrepresenting to her client that she had obtained confirmed queue number 30 for him, in contravention of paragraph 6(1) read with paragraph 6(2)(b) of the Code of Ethics and Professional Client Care.

#### **Charge 3**

For conduct that may bring disrepute to the estate agency industry by misleading her client that confirmed queue number 30 had been obtained for him, in contravention of paragraph 7(1) read with paragraph 7(2)(a) of the Code of Ethics and Professional Client Care.

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### **Outcome**

Following a trial, the DC found that the Respondent was guilty of the 3 charges and imposed the following penalties on the Respondent:

**Charge 1:** A financial penalty of \$1,000 and suspension of 1 week

**Charge 2:** A financial penalty of \$1,500 and suspension of 2 weeks

**Charge 3:** A financial penalty of \$1,500 and suspension of 2 weeks

The suspensions were ordered to run concurrently and fixed costs of \$1,000 were also imposed on the Respondent.