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Two months' jail for offering illegal commission in renting property

2 April 2013

A property tenant, charged by the ICAC, was today (Tuesday) sentenced to two months' imprisonment at the Eastern Magistracy for offering an illegal commission to a property agent for the latter's assistance in renting a property.

Mandy Lam Choi-ying, 35, was also ordered by Magistrate Mr Symon Wong Yu-wing to pay \$21,500 in restitution to Centaline Property Agency Limited (Centaline).

The defendant was earlier found guilty of one count of offering an advantage to an agent, contrary to Section 9(2) of the Prevention of Bribery Ordinance (POBO).

The court heard that on November 10, 2010, the defendant signed a tenancy agreement with a couple for renting their flat in West Kowloon at a monthly rental of \$43,000 through the introduction of Yuen Hoi-chiu, a then property agent of Centaline.

According to the agreement, the defendant agreed to pay Centaline a commission of \$21,500 being half of the monthly rental.

After signing the agreement, the defendant told Yuen at her office that she would only pay Centaline a commission of \$5,000 instead of the agreed \$21,500, and that she would equally share the difference of \$16,500 with Yuen as a reward for his assistance.

The defendant then issued a cheque for \$5,000 payable to Centaline and another cash cheque for \$8,250 to Yuen.

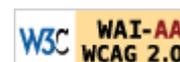
Yuen agreed to the defendant's proposal and took the cheques, the court was told.

Upon the application of the defendant, the magistrate granted her cash bail of \$50,000, pending her appeal. She was also ordered not to leave Hong Kong.

Yuen, 32, who was also charged for his role in the case, earlier pleaded guilty to one count of agent accepting advantage, contrary to Section 9(1) of the POBO. He will be sentenced on April 9.

Centaline rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by prosecuting counsel Susanna Ku, assisted by ICAC officer Alex Ho.

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