
8 May 2019

Woman fined \$15,000 for unlicensed estate agency work

A 43-year-old Singaporean woman was convicted in Court today for two charges of holding herself out to the public as being ready to undertake estate agency work as an estate agent and acting as an estate agent without being licensed by the Council for Estate Agencies (CEA) in relation to two room rental transactions of Housing & Development Board (HDB) flats.

2. Vanessa Thien Cai Yan (田彩彦) was sentenced to a fine totalling \$15,000, in default two months' imprisonment. In sentencing Thien, the Court also took into account two similar charges of Thien holding herself out to the public as being ready to undertake estate agency work as an estate agent without being licensed by CEA.

3. Under the Estate Agents Act¹ (EAA), it is an offence for entities and/or individuals to act as estate agents, or for individuals to hold themselves out to the public as being ready to undertake, whether or not for payment or other remuneration, estate agency work as estate agents in any property transactions if they are not licensed by the CEA.

¹ Under the Estate Agents Act (Cap. 95A), "estate agents" refer to estate agency businesses (sole-proprietors, partnerships, and companies) or individuals who do estate agency work. Estate agency businesses are commonly known as property agencies. Salespersons refer to individuals who perform estate agency work. They are commonly known as property agents.

CEA's charges against Vanessa Thien

4. Thien pleaded guilty and was convicted in Court under the EAA for the following two charges:

- a) One charge under Section 28(1)(c) of the EAA, for holding herself out as being ready to undertake, whether or not for payment or other remuneration (whether monetary or otherwise), estate agency work as an estate agent without first being licensed by CEA; and
- b) One charge under Section 28(1)(b) of the EAA, for acting as an estate agent without first being licensed by CEA.

5. Investigations revealed that Thien had represented herself as a part-time property agent to family members of an owner of a HDB flat at Punggol. Thien had contacted the owner's family member through the latter's listing of a room rental on Carousell, an online portal. Thien was looking to charge the owner 25 per cent of one month's rental as commission if she closed the transaction. The owner's family member agreed to engage Thien on this basis. Thien then assisted the landlord in marketing the lease of the common room in her flat on Facebook and by conducting a viewing of the flat.

6. It was also revealed that sometime around the period between November 2017 and December 2017, Thien assisted another landlord to rent out a room at a second HDB flat at Sengkang. She had advertised the rental of the room on Facebook, introduced a tenant to the landlord, facilitated the lease of the property, and received a commission of S\$137.50 from the landlord. At all material times, Thien was not an estate agent licensed by the CEA.

7. Details of these offences are in the **Annex**.

8. In sentencing Thien, the court took into account two other similar charges of Thien holding herself out to the public as being ready to undertake estate agency work as an estate agent without being licensed by CEA. One of the charges was in relation to the room rental transaction of a HDB flat at Punggol

mentioned in paragraph 5 above. Thien conducted the viewing for a prospective tenant and her friend.

9. In another charge, Thien contacted a property agent on 2 October 2017 and introduced herself as a part-time agent. She was looking to co-broke with him on a room rental transaction of a third HDB flat at Punggol that he had advertised on Carousell. In her messages, Thien asked to share 50 per cent of the commission that he would receive from his clients upon closing the transaction.

10. CEA cautions individuals and entities against conducting unlicensed estate agency work and using online property portals to facilitate such work by advertising properties for sale or lease if they are not licensed by CEA.

Advice for consumers

11. Consumers who choose to have a property agent assist them in their property transactions should only engage property agencies and agents licensed and registered with CEA respectively. The public can verify whether an entity or individual is licensed or registered with CEA via the [Public Register](#) on the CEA website.

12. When consumers respond to online advertisements, they should check whether they are liaising with the property owner directly or with a property agent who is representing the owner. If it is the latter, consumers should check that the agent is registered with CEA. A property agent is required to display his registration number in his online advertisements. Consumers should exercise caution if a registration number is not displayed.

13. The public can report those who perform unlicensed estate agency work to CEA at 1800-6432555 or feedback@cea.gov.sg. Consumers can visit www.cea.gov.sg/happyconsumer for more information on engaging a property agency and agent, and for tips to work harmoniously with a property agent for their property transaction.

About the Council for Estate Agencies

The Council for Estate Agencies (CEA) is a statutory board established in 2010 under the Estate Agents Act to regulate and promote the development of a professional and trusted real estate agency industry. The key responsibilities of CEA are to license property agencies and register property agents, promote the integrity and competence of property agencies and property agents, and equip consumers with the necessary knowledge to make informed decisions in property transactions involving property agents. For more information, please visit: www.cea.gov.sg.

DETAILS OF THE TWO PROCEEDED CHARGES AGAINST VANESSA THIEN

HDB room rental at Punggol - Assisting a landlord in the room rental and conducting viewing of the property

1. Sometime in October 2017, a woman posted a listing on Carousell to rent out a room in a HDB flat at Punggol on behalf of the owner and her cousin. On 30 November 2017, Thien messaged the woman on Carousell and introduced herself as a part-time property agent who would charge 25 per cent of one month's rental as commission if the transaction was successful. The woman agreed to engage Thien on this basis. Thien then advertised the rental of the room on Facebook. She included the address, asking rental, photos of the room for rent etc. in the advertisement.

2. Acting on a tip off by a property agent, CEA officers began investigating Thien. On 16 January 2018, CEA officers mounted an operation to ascertain whether Thien had indeed conducted unlicensed estate agency work.

3. It was established that Thien conducted a viewing of the flat. She had identified herself as the agent assisting the owner in the rental transaction and would be getting her commission from the owner. During the viewing, Thien had also asked the owner's mother, who was living in the flat and was also present at the viewing, to provide her with her name and NRIC number so that she could prepare a tenancy agreement for the room rental.

HDB room rental at Sengkang - Assisting a landlord in room rental

4. Sometime in mid-November 2017, a flat owner listed her common room in her HDB flat at Sengkang for rent on Facebook. On or around 12 November 2017, Thien sent a private message via Facebook to the owner, introducing herself as a property agent and that she would charge 25 per cent of a month's rental as commission should the transaction be successful. The owner then gave her mobile number to Thien.

5. Thien contacted the owner but did not reply when the owner asked her which property agency she was from. Instead, Thien asked if she could help the owner look for tenants in return for the commission rate that she had earlier conveyed in her message. The owner agreed to Thien's terms and Thien proceeded to advertise the rental of the common room at \$600 per month on Facebook.

6. Sometime in early December 2017, a Myanmar national contacted Thien with regard to the Sengkang property while she was in Myanmar. Thien confirmed that the room was available for rent at \$600 per month for a six-month tenancy. The Myanmar national also asked Thien to inform the owner that she was looking at a lower monthly rent at \$550.

7. Thien informed the owner about the request and the owner agreed to lower the room rental to \$550. The Myanmar national then agreed to rent the room at \$550 per month for the period from 1 January 2018 to 30 June 2018. She transferred the security deposit of \$550 to Thien's bank account. Thien then transferred \$412.50 to the owner after deducting \$137.50 as her commission.

8. On 23 December 2017, the Myanmar national arrived in Singapore and moved into the room at the flat. Thien prepared a tenancy agreement in accordance with the agreed monthly rental and terms for the transaction according to the owner's instructions. Both the owner and the tenant subsequently signed the said agreement.