

建物業資訊平台 啓置業安居大門

Building A Property Market Information Platform For Home Purchasers



香港消費者委員會

HONG KONG CONSUMER COUNCIL

CONSUMER COUNCIL

Study on the Sale and Purchase of First-hand Private Residential Properties in Hong Kong – The Rights of Consumers to Reliable Property Market Information

Executive Summary

Introduction

1. The Consumer Council (the Council) has observed disquiet regarding the provision of information to consumers in the first-hand private residential property market. Accordingly, the Council conducted this study on the general availability and reliability of property market information, and the practices that have been employed by market players regarding the release of information to prospective purchasers in respect of particular developments.

2. In general, prospective purchasers want to know two things. First, what the market conditions are, particularly in the context of whether it is a good time to buy. Second, whether a particular property suits their needs. On both of these, they want assurance that the information they receive is reliable. In other words, it is truthful, timely and complete.

3. The Council welcomes initiatives launched by the Government over the past two years to enhance the transparency and clarity of property information on uncompleted first-hand private residential properties. In particular, the latest nine new measures work towards information transparency and fair deals and have achieved initial impact. To build on the existing safeguards, the Council has made in this report suggestions to further enhance information transparency in the first-hand residential property market to better protect the interests of prospective purchasers of private residential properties.

Study Methodology and Findings

4. For the study, the Council conducted general research and undertook a series of field visits of developers' sales offices to examine how information was disseminated to prospective purchasers of first-hand private residential properties. Field visits were conducted by Council staff between 12 April and 27 June 2010, involving 19 private residential development projects. The Council's findings as set out in section 2 are based on field visits of the 19 development projects during the said period.

5. The development projects comprised both completed and uncompleted first-hand private residential properties, covering various stages of sales, i.e. at first

sales, and at sales that had been launched for a relatively long period of time. This study was not directed at residential units in the second-hand market or commercial or industrial buildings.

6. In the study, the Council also considered the Government's enhancement measures for flat sales, implemented through the Lands Department's Consent Scheme and the Real Estate Developers Association of Hong Kong's (REDA) Guidelines on Sale of Uncompleted Residential Properties (issued on 1 June 2010), concerning the provision of information in the first-hand private residential property market.

7. Notwithstanding the enhancement measures, the Council considers that further improvements can be made to build on the existing measures to protect the interests of prospective purchasers of first-hand private residential properties.

8. In this study, the Council has explored:

- the general availability of property market information that prospective purchasers may have at their disposal and the accuracy and reliability of such information to enable them to better understand the market and make informed decisions;
- the practices that have been employed by developers and sales agents regarding the release of information to prospective purchasers on particular developments; and
- whether appropriate information is readily available and accurate.

9. **The Council's findings can be summarised as follows:**

Absence of comprehensive source of information

10. Prospective purchasers do not have an easily accessible source of information that provides an accurate and complete picture on the market as a whole, in terms of the number of flats for sale or sold, and their sale prices, in order to assist them in making a decision as to when to enter the market. While relevant information may be obtained from a number of diverse sources, the average consumer would not have the necessary skills, or the time, to adequately process all the available information.

Information varies in reliability

11. It is common that media reports on announcements by developers, promotional materials, and comments by sales agents will selectively cast favourable light on particular developments. It is difficult for prospective purchasers to gauge how much credibility can be given to the information, and the extent to which it resembles the truth. Prospective purchasers need to be sure that there are safeguards in place to discourage persons from engaging in misleading and/or deceptive conduct.

Sale by small batches

12. It appears to be common practice for developers to release units in small batches to test the market, and to subsequently raise prices after getting a favourable initial market response. The consequential disadvantages to prospective purchasers are a reduction in choices and increasing property prices. The Government's latest enhancement measures require developers to include in the first price list for each batch of sale increased number of units to be covered in the first price list, from the minimum of 20 units (or 20% of the total number of units put up for sale) to a minimum of 30 units (or 30% of the total number of units put up for sale) for small-scale development, and a minimum of 50 units (or 50% of the total number of units put up for sale) for large-scale development, which may help alleviate the problem of lack of choice to a certain extent.

High pressure sales tactics

13. Some sales agents play on the natural anxiety of prospective purchasers and attempt to induce them into making hurried purchase decisions. For example, by promising that favourable treatment will be given if a deposit or any other consideration is given immediately and concocting information that is suggestive of future rising prices and scarcity of supply. Moreover, the tactics are carried out in an environment, for example, through one-way flow control arrangement, that increases anxiety levels and makes it difficult if not impossible for prospective purchasers to undertake a thorough and useful inspection of a property. These might lead prospective purchasers into making hurried decisions to buy properties that ultimately prove to be unwise and even damaging to their interests.

Recommendations

14. To address the above concerns, the Council has proposed the following recommendations:

Clear guidelines regarding pre-launch activities of first-hand properties

Recommendation 1: Developers and sales agents should refrain from releasing unofficial “intentional prices” or using any other imprecise terms relating to the potential price of flats to be offered for sale, and from taking a deposit or any other consideration, before an official launch of flat sales.

15. At present, it is difficult for prospective purchasers to verify whether developers or sales agents have released false information for the purpose of creating the impression of a robust market and thereby talking up property prices and sales. When this conduct is combined with offers by sales agents to accept a deposit or similar consideration, it compounds the anxiety among prospective purchasers to move quickly on a purchase. This only exacerbates the potential for artificially inflated prices, and may lead to unwise purchases. The Council considers that prohibitions should be introduced to limit this sort of possibly speculative information dissemination by developers and sales agents. (Paragraphs 3.2 to 3.6 of the study report refer)

16. The Council accepts that there may be practical difficulty in effectively preventing such price information from being circulated in the market, as it is almost impossible to verify whether it is the developers, market analysts or reporters who are responsible for the release of those prices. However, the Council is of the view that it is important for the Government to send a clear message of its disapproval of releasing confusing and possibly misleading pricing signals to the market.

Recommendation 2: If “private sales” are to be allowed, they should be properly defined, and an upper limit on the percentage of units available for “private sale” should be reinstated.

17. Sale for most of the development projects under study was promoted as “private sale” but the units concerned were found to be open for sale to the general public. In these circumstances, a question arises as to whether describing sale of units as “private sale” when they are in fact generally available is a deceptive ploy. The Council recommends that the Government make it clear whether “private sales” are allowed to exist, and if so reinstate an upper limit on the percentage of units available for “private sale”, for example, 5%. Conditions should also be imposed on how information is disseminated to the public regarding this type of sales. (Paragraph 2.9 Part A refers)

Removing impediments to viewing of show flats

Recommendation 3: Measures should be introduced to ensure prospective purchasers have sufficient time for viewing of show flats, i.e. to discourage the setting of conditions or restrictions for prospective purchasers, such as imposing onerous registration and appointment procedures, and imposing obstructive one-way flow control arrangements for the viewing of show flats.

18. The Council's past experience and current field visits (before the Government's introduction of the new enhancement measures) found that the procedures by which a few sales offices guided the activities of prospective purchasers when viewing show flats created an environment that was not conducive to making careful and considered purchase decisions.

19. Such procedures raise anxiety levels on the part of prospective purchasers and can also prevent competition from operating effectively in the market, since purchase decisions are swayed more by questionable sales tactics rather than close inspections of potentially suitable properties and correct assessment and comparison of different properties on offer in the market. The Council considers that measures need to be introduced to ensure prospective purchasers have sufficient time for inspecting show flats, to enable them to undertake comprehensive inspections. (Paragraphs 3.7 to 3.12 refer)

Controls over unreliable and deceptive representations

Recommendation 4: Sales agents should refrain from distributing unauthorized materials (i.e. their own materials) to prospective purchasers at sales offices, unless there is an accompanying statement quoting the date and the source of the information.

20. The Council's field visits and complaints indicated that some sales agents played on the natural anxiety of prospective purchasers, and attempted to induce them into making hurried purchase decisions by speculating on matters such as future rising property prices and scarcity of supply. In some cases, to establish their point, sales agents supplied handouts they prepared, in addition to the sales brochures and price lists. (Paragraphs 3.35 to 3.38 refer)

21. The existence of this sort of unofficial information, particularly in the context of high pressure sales chatter, simply adds to the anxiety and confusion that can arise in making a purchase decision. The Council therefore recommends that the distribution of unofficial materials by sales agents should be prohibited, or at the very least that any information not officially produced by the developer should, apart from having the consent of the developer, include a qualification that the information is not

official, and that the material prepared should clearly indicate the basis upon which the information relies.

Provision of timely and useful transaction information

Recommendation 5: An online “Property Market Information Platform” (PMIP) should be established to enable the general public to obtain, through an independent and authoritative source, comprehensive property market information regarding first-hand private residential properties in Hong Kong.

22. In its 1996 report “*How Competitive is the Private Residential Property Market?*”, the Council recommended, amongst other proposals, that the Government should facilitate consumer access to reliable property information by allowing public access to a centralized housing property database that provides information on the property market and housing development data.

23. The Council reiterates its previous recommendation of improving the flow of property information by setting up a centralized property information platform for public use to provide accurate, up-to-date and authoritative information about the property market.

24. The Council strongly believes that an online “**Property Market Information Platform**” (PMIP) should be established to enable the general public to obtain, through a ‘one-stop’ service comprehensive property information, and such a platform will also enable the Government to monitor transactions in the first-hand private residential property market in Hong Kong. To ensure that the PMIP commands credibility and recognition, the Council considers that it should be set up and managed by an authoritative and independent body, for example, the Government.

25. The proposed PMIP should pull together existing data of developers on an individual development project basis, and relevant information provided by various government departments. The PMIP should provide prospective purchasers with a timely benchmark of current transaction prices and unit availability concerning residential development projects, and there should be the requirement that information be posted on the platform within 24 hours (real time in the long run) after the signing of a Preliminary Agreement for Sale and Purchase (PASP), as well as after the signing of the formal Agreement for Sale and Purchase (ASP).

26. Similar systems exist in other jurisdictions with the same market characteristics as Hong Kong. (Paragraphs 4.3 to 4.21 refer)

27. The Council understands that the establishment of the proposed PMIP requires immense manpower and capital resources, and professional know-how to collect, verify and update information. There is also the issue of legal liability on the

accuracy of the information. But the benefits of such a platform to various parties as well as to the economy as a whole should not be brushed aside. It will be particularly instrumental in view of great public concern regarding recent incidents of cancellation of alleged sales, and also the drop in Hong Kong's real estate transparency ranking (according to a recent global real estate market study).

Provision of sales brochures and price lists

Recommendation 6: Sales brochures and price lists should be made available at sales offices for distribution to prospective purchasers at the time of sale (i.e. throughout the entire sale period) and should be made available before the viewing of show flats.

28. The Council observed that at a few developments (before the introduction of the new enhancement measures), either sales brochures or price lists were made available to prospective purchasers. Some of these cases were sales that had been launched for some period of time. In such cases, prospective purchasers had to rely on supplementary information provided by sales agents. Where sales brochures and price lists were available, they were not easily accessible or were placed on the sales desks at the very late stage before prospective purchasers left the sales offices. As a result, prospective purchasers did not have the opportunity to bring sales brochures along with them for cross references when viewing the show flats.

29. Current rules only require sales brochures and price lists to be made available prior to the commencement of sale and they only apply to the sale of uncompleted residential properties. As this is a requirement beneficial to prospective purchasers, the Council considers that it should be extended to cover completed residential properties as well. Moreover, the sales brochures and price lists, for both uncompleted and completed residential properties, should be made available to prospective purchasers at the sales office before the viewing of show flats. This would facilitate the process of making informed decisions and would also assist either those who do not have access to computers and printers to be able to download relevant information from developers' websites, or those who do not know how to use them. It would also enable prospective purchasers to make comparisons with the information that is presented on a developer's website or generally in the show flats. (Paragraphs 3.26 to 3.34 refer)

Recommendation 7: The time gap (currently up to 5 days) between the sale of a flat and the release of the transaction record on developers' websites and the proposed PMIP should be shortened.

30. Timely information is often critical for making a wise purchase decision, especially where pressure is being placed by sales agents to commit to a deal. The Council therefore recommends that developers be required to post property related

information (including price lists, the number of units available for sale and transaction information) on the PMIP once the information is made available to the market (i.e. to post after signing of a PASP or ASP). This is in addition to providing the information on developers' websites and displaying it at the sales offices.

31. This would enable the public to more quickly ascertain whether developers have actually sold their properties for the price they claimed to be selling at, and to have accurate property information (e.g. the units available and the offer price) to assist in their purchase decisions. (Paragraphs 3.39 to 3.43 refer)

32. For certainty of information, it would be useful to have reference to transaction information which is set out in ASPs instead of PASPs. Moreover, taking into account the need to make timely information available to prospective purchasers to facilitate their purchase decision, the Council considers that requiring developers to post information about transaction cancellation on the PMIP may help address the concern about inflated sales or inaccurate transaction information resulting from uncompleted transactions. Taking Beijing as an example, Beijing's Real Estate Transaction Network has in place some measures such as issue of public notices on violations by developers in respect of reporting false sales through repeatedly posting and withdrawing offers from the transaction network, and providing sales performance data that do not match the sales records on the city's information network.

Complete information on price and units for sale

Recommendation 8: A facility for prospective purchasers to examine the PMIP be provided at the time of sale.

33. Presently, prospective purchasers rely on information in sales brochures and price lists, and material supplied by sales agents whose primary concern is to procure a sale. The problem of the making of misleading claims on pricing and availability of units, future performance and so on can be contained, and the anxiety caused by lack of verifiable information can be alleviated, if prospective purchasers are able to check on a range of related matters at the time of sale.

34. The proposed PMIP is aimed at providing an extensive source of information. The Council therefore recommends that the PMIP must be provided in real time at the sales office where a prospective purchaser pays a deposit or enters into an agreement. Having this facility on site and readily accessible will enable prospective purchasers to consider a range of relevant information, thereby assisting them to make an informed choice. This would strengthen prospective purchasers' confidence in the accuracy of information upon which their purchase decision is based.

Strengthen the existing complaints handling mechanism

Recommendation 9: An element of neutrality should be introduced in REDA's preliminary complaints screening process.

35. Prospective purchasers need the assurance that there are safeguards in place to properly handle complaints, for example regarding misleading information in the sale of private residential properties. The Council recommends that measures be undertaken now to provide some safeguards for consumers by way of strengthening the existing industry measures that address misleading and deceptive conduct in the real estate sector.

36. Currently only developers and their staff or agents are involved in examining whether complaints made to REDA should be followed up. The Council considers that the absence of a neutral element in REDA's preliminary decision making process should be addressed. The Council recommends that the essential element of neutrality, which can be found in the process of REDA's Compliance Committee, should also apply to the preliminary examination of complaints, since both processes are equally important in the delivery of satisfactory outcomes, and both should observe the principle of neutrality.

Conclusion

37. At present, prospective purchasers of first-hand residential properties face an asymmetry of information when compared to developers and sales agents. Accordingly, they are not likely to be in a position to get clear, accurate and comprehensive information before making their purchase decisions, although such information would be conducive to making wise purchase decisions.

38. The Council considers the above recommendations to be both pertinent and proportionate in protecting consumers who are buying what is likely to be the single most expensive purchase in their life. In addition, given the importance that information has in a competitive marketplace, the measures proposed should also be of benefit to the real estate sector as a whole.

消費者委員會

香港一手私人住宅物業買賣研究－ 消費者取得可靠物業市場資訊的權利 消費者委員會

報告摘要

引言

1. 消費者委員會(本會)留意到向消費者所發放的一手私人住宅物業市場資訊令人關注。爲此，本會進行研究，探討現時物業市場的資訊是否整體充足和可信賴，以及分析市場參與者向準買家發佈個別樓盤資料時所採用的銷售手法。
2. 一般來說，準買家購買物業前都希望知道兩項資料：一、當時的市場環境如何，是否置業良機；二、個別樓盤是否切合他們的住屋需要。準買家須確定他們取得的資料是可靠的，換言之，有關資料必須是真確、適時提供及全面。
3. 本會歡迎政府在過去兩年就促進未建成一手私人住宅物業的資訊透明度所推出的措施，包括近期特別是「九招」樓宇銷售措施，以達至「資訊透明、公平交易」，並已初見成效。建基於現有措施，本會在報告作出建議，以進一步提高一手住宅物業市場資訊透明度，爲一手私人住宅物業準買家提供最佳的權益保障。

研究方法和結果

4. 就當前情況，本會進行了住宅物業市場研究，並實地視察個別地產發展商的售樓處，以瞭解有意購買一手私人住宅物業的準買家如何取得樓盤資訊。本會職員於 2010 年 4 月 12 日至 6 月 27 日期間，實地視察了 19 個私人住宅物業發展項目。報告第 2 部分所列出的發現是本會在該段時間內視察該 19 個發展項目得出的結果。
5. 調查涵蓋的發展項目包括未建成及已建成的一手私人住宅物業，涉及不同售樓階段的情況（包括首次發售及已開售一段頗長時間的樓盤）。本研究不包括二手市場的住宅物業、商業或工業樓宇。
6. 此研究已將新推出的規管措施－政府透過地政總署的「預售樓花同意方案」推行的規管一手樓宇銷售措施和香港地產建設商會於 2010 年 6 月 1 日發出的「未建成一手私人住宅物業指引」，考慮在內。
7. 雖然有新措施推出，本會認爲可考慮在現有基礎下提出進一步的建議，保障一手私人住宅物業準買家的權益。

8. 在本研究內，本會探討：

- 準買家獲提供物業市場資訊的一般情況，資料的準確性及可靠程度是否足以協助他們更瞭解市場情況，從而知所選擇；
- 發展商及銷售代理在個別發展項目向準買家提供物業資訊時所採用的手法；以及
- 準買家是否容易獲取適切和準確的物業資訊。

9. 本會的研究結果撮要如下：

缺乏全面物業資訊的來源

10. 目前，並沒有一個容易達到的資訊來源，讓準買家獲取準確而全面的物業市場資訊，例如：市場上可供發售或已售出的單位數目及樓價資料等，協助準買家決定何時是適當時機置業。現時，準買家只可以從眾多分散渠道取得有關的資訊，但普遍的消費者不會具備分析技巧或充足的時間，從中選取合適可用的資料。

市場資訊可靠程度各異

11. 個別發展商通過傳媒發佈的樓盤銷售消息、廣告宣傳及銷售代理的推廣內容，偏向利好消息為主。準買家難以掌握這等資訊的可信性及真實程度。為保障準買家的權益，有需要制定措施遏止任何人士發佈誤導和欺詐性的資訊。

逐少分批推售單位

12. 常見的銷售手法是發展商採用「啣牙膏」方式每次推售少量單位，測試市場反應，若初步銷情理想便上調售價。對準買家而言，其壞處是選擇不多和物業價格上升。政府推出的新措施要求發展商在開售時提供更多單位，由以往每一批的首張價單最少提供 20 個單位（或可供出售單位的 20%），增加至小型發展項目最少提供 30 個單位（或該批可供出售單位的 30%），大型發展項目則增加至最少提供 50 個單位（或可供出售單位的 50%），此舉某程度上有助改善準買家缺乏選擇的情況。

高壓式銷售策略

13. 部分銷售代理利用準買家的焦急情緒，作出不同舉動，務求令他們作出倉卒的購買決定。舉例說，向準買家承諾，若他們即時交付訂金或付出其他代價，便會獲安排優先揀樓；堆砌資訊令人覺得樓價會上漲和住屋供應短缺等。當上述銷售策略配合其他環境因素，

例如通過參觀示範單位時的分批單向人流進行的安排，加劇準買家的焦慮情緒，並妨礙他們在示範單位內進行詳盡及實際有用的視察。結果可能導致準買家作出草率的購買決定，這情況下的置業決定，除可能屬不智外更有機會損害他們的利益。

建議

14. 有鑒於上述問題，本會提出以下建議：

針對一手樓開售前市場活動的明確指引

建議 1：發展商和銷售代理不應發放非正式的「意向價」或以任何不明確的言詞描述擬出售單位的可能作價，並不應在正式開售前接受訂金或其他代價。

15. 目前，準買家難於查證發展商或銷售代理有否發佈虛假資料，以營造樓市暢旺的情景，從而推高樓價和銷情。當這種行為加上銷售代理在樓盤正式開售前接受準買家支付訂金或類似的代價，都會增加樓盤的緊張銷售氣氛，令準買家容易作出倉卒的購買決定。上述情況會加深人為地推高價格的可能性，最終可能令準買家作出不智的購買決定。本會認為，應禁止發展商和銷售代理發佈這類潛在炒作性的樓盤資訊。（詳見本研究報告第 3.2 至 3.6 段）

16. 本會明白有效杜絕市場上流傳這些可能有炒作成分的價格資訊有一定的困難，原因是無法查證有關資訊是由發展商、市場分析員抑或記者媒體發放的。不過，本會認為，政府有需要向市場發出明確訊息 — 不容許發放任何可能令市場產生混亂和涉及誤導成分的價格資訊。

建議 2：若繼續容許「內部認購」存在，應清楚界定其定義及恢復可供「內部認購」單位的百分比上限。

17. 在本會實地視察的物業發展項目中，大部分是以「內部認購」或「優先認購」名義宣傳發售，但調查顯示，有關單位是公開向普羅大眾發售的。這情況帶出的問題是，如將樓盤單位描述為供「內部認購」，而事實上一般公眾都可購買，該手法是否屬誤導。本會建議，政府須表明是否容許「內部認購」繼續存在，若容許存在的話，應恢復可供「內部認購」單位的百分比上限，例如：5%。此外，應設定條件要求「內部認購」的銷售資訊要如何向市民大眾發佈。（參閱第 2.9 段 A 部分）

減低詳細視察示範單位的障礙

建議 3：制訂措施確保準買家有足夠時間參觀示範單位，避免向準買家施加任何參觀示範單位的條件或限制，例如過度繁複的登記手續和預約程序，或採取具阻礙性的單向人流安排。

18. 本會從過往及今次實地視察（在新措施生效前進行）所見，個別售樓處就準買家參觀示範單位設置的步驟，不利準買家仔細查看示範單位及作出審慎的購買決定。

19. 這些安排不單增加準買家的緊張情緒，亦同時會影響市場的競爭情況，因準買家的購買決定，會較容易受到這些有問題的銷售策略影響，而不是透過詳細視察及正確評估擬購買的物業，並將其與市場上其他的樓盤比較。本會認為，應制訂措施確保準買家有足夠時間在售樓處仔細及全面性參觀示範單位。（參閱第 3.7 至 3.12 段）

規管不可靠和欺詐性的陳述

建議 4：銷售代理不應在售樓處向準買家派發未經授權的樓盤資料；若容許派發自行編製的資料，銷售代理須在自製單張上，註明資料日期和來源。

20. 根據本會的實地視察及投訴資料，有些銷售代理利用準買家的焦急情緒，砌詞未來樓價將會上升和樓宇供應短缺等，以圖令準買家作出倉卒的購買決定。在個別情況中，有些銷售代理除了提供由發展商印製的售樓說明書和價單外，還會向準買家派發他們自行編製的樓盤單張以支持他們的說法。（參閱第 3.35 至 3.38 段）

21. 這類非正式資訊的出現，加上高壓式銷售手法，會令準買家在考慮是否購買時更為焦慮及混亂。本會建議，禁止銷售代理向準買家派發非正式的樓盤資料；若容許派發此類資料，銷售代理必須（除取得發展商同意外）在這些資料單張加上附註，表明有關資料乃非正式資料，以及清楚顯示有關資料的來源依據。

提供及時和有用的物業成交資料

建議 5：建立一個網上的物業市場資訊平台 (Property Market Information Platform, PMIP)，讓公眾可以透過一個獨立和權威性的來源，獲得有關香港一手私人住宅物業市場的全面資訊。

22. 本會在 1996 年發表的研究報告《香港私人住宅物業市場－安得廣廈千萬間？》內提出一系列建議，包括建議政府應採取措施便利消費者取得可靠的物業資料，包括讓公眾使用當時擬議的中央房屋物業數據資料庫，獲取有關地產市場和房屋發展方面的資訊。

23. 本會重申先前的建議，通過設置一個中央處理物業資訊的平台，為公眾提供準確、緊貼市場和具權威性的物業資訊，改善物業市場資訊的流通。

24. 本會深信，建立一個網上的物業市場資訊平台(Property Market Information Platform, PMIP)，可以讓公眾透過一站式服務，取得全面的物業資訊，此平台也有助政府監察一手私人住宅物業市場的交易。為確保資訊平台的公信力和認受性，本會認為該資訊平台應由一個有權威及獨立的機構（例如政府）負責設立及管理。

25. 構思中的資訊平台將集結現時發展商個別物業發展項目的資料，及不同政府部門提供的相關物業資料。通過規定發展商必須在臨時買賣協議及正式買賣協議簽署後 24 小時內（長遠來說按實時提供有關資料），分別上載資料至該資訊平台，可為準買家及時提供指標，讓他們可以取得最新的住宅物業成交價和單位銷售資料。

26. 類似的資訊平台在其他擁有相同行業市場特徵的地區都有存在。（參閱第 4.3 至 4.21 段）

27. 本會明白設立建議的資訊平台，涉及龐大的人力和資源投放，並需要懂得搜集、查證和更新資料的專業知識。此外，資料準確性亦會衍生法律責任等問題。然而，設立資訊平台可為各方以至整體經濟帶來的好處不容忽視，尤其是近期有樓盤取消交易，以及香港房地產市場透明度排名下跌（根據最近一項環球房地產市場透明度指數的調查），設立資訊平台有助回應公眾的關注。

提供售樓說明書和價單

建議 6：規定現樓售樓處必須擺放售樓說明書和價單，以及在發售任何未建成或已建成的樓宇單位時（在整個銷售期間），向還未參觀示範單位的準買家事先派發售樓說明書和價單。

28. 本會從實地視察發現，在新措施生效前有個別樓盤沒有向準買家提供售樓說明書或價單，當中包括部分已開賣了一段時間的樓盤。就這些樓盤，準買家僅能依賴由銷售代理提供的補充物業資料作參考。至於有提供售樓說明書和價單的樓盤，其資料擺放的位置並不方便準買家索取，又或是被擺放於接近離開售樓處的較後位置。準買家因此沒有機會帶備售樓說明書，在參觀示範單位時作對照參考。

29. 現時，雖然有規定要求發展商於開售前向準買家提供售樓說明書和價單，但祇適用未建成的發展項目（樓花），由於這要求可改善準買家缺乏資訊的問題，本會認為，應擴展至現樓。此外，無論樓花抑或現樓，都應規定發展商在準買家還未參觀示範單位前即向他們派發售樓說明書和價單。這做法不單讓準買家可以在取得充足資訊的情況下作出購買決定，亦可讓部分 沒有電腦和打印機從發展商網站

下載資料，或不懂使用它們的人士可獲取樓盤資料。此外，派發相關資料亦有助準買家對照發展商在其網站上或示範單位內提供的資料之準確性。（參閱第 3.26 至 3.34 段）

建議 7：縮短樓盤單位售出和交易資料公佈（包括在發展商的網站和建議中的物業市場資訊平台）的時間差距（現時差距達 5 天）。

30. 準買家獲得緊貼市場的資訊對他們作出明智的購買決定非常重要，特別是當面對銷售代理為完成交易而不斷游說下的壓力。本會建議，當發展商在市場發佈樓盤資料時（即在簽署臨時及正式買賣協議後），除在其網站及售樓處顯示有關資料（包括價單、可供發售的單位和成交資料）外，亦應即時將資訊上載至建議的物業市場資訊平台，供公眾參閱。

31. 這做法可讓公眾能夠更快速地確定發展商聲稱以某價格水平賣出單位是否屬實，以及提供準確的物業資訊（例如可供發售的單位數目及其擬售價格），協助準買家作出購買決定。（參閱第 3.39 至 3.43 段）

32. 為提供確定性高的資訊，有意見認為正式買賣協議所載的交易資料，參考價值較臨時買賣協議的為高。此外，考慮到準買家需要取得適時資訊來作出購買決定，本會認為，要求發展商將取消交易的資料上載到物業市場資訊平台，有助解決誇大銷售數字或因交易最終未能完成而出現不準確的成交資料。以北京為例，北京市房地產交易管理網採取一些措施，包括將發展商的違規行為(如進行網上連續訂立及撤銷認購、虛報銷售進度，以及公佈與交易網公示樓盤資料不符的銷售情況)進行網上公示。

發放可供發售的單位及樓價的全面資料

建議 8：於售樓處增設設施，方便準買家在作出購買決定時，可以即時查閱物業市場資訊平台上的資料。

33. 目前，準買家取得樓盤資訊的主要途徑，是透過售樓說明書和價單，以及銷售代理派發以銷售為目的的資料。讓準買家在作購買決定時可即時查閱或參考相關的物業資料，相信可以有助減低就價格、單位供應和樓盤銷情作出誤導聲稱的問題，及減少準買家缺乏可供查證的資訊的焦慮。

34. 建議中的物業市場資訊平台，目的是提供全面的物業資訊。本會建議，在準買家落訂金或簽訂買賣協議的售樓處，應有設施讓準買家可以即時瀏覽該資訊平台。將有關設施設於準買家容易接觸得到的位置，方便他們考慮一系列與擬購物業有關的資訊，從而協助他們作出明智的選擇。讓準買家可憑有關的資訊作出購買決定，可加強他們對資料準確性的信心。

強化現行的處理投訴機制

建議 9：在香港地產建設商會處理投訴的初步篩選階段引入獨立代表。

35. 為保障準買家，應制訂措施妥善處理涉及私人住宅物業銷售的投訴，例如提供誤導資料。本會建議制訂保障消費者的措施，如透過加強行業現存的規範措施，遏止銷售樓盤時出現的誤導和欺詐行爲。

36. 現時，由發展商及其職員或代理人決定，是否有需要跟進地產建設商會接到的投訴，本會認為，有需要處理投訴篩選程序中有欠中立的問題；現時地產建設商會的監察委員會設有外界人士參與，這保持中立原則的做法可同樣應用於初步篩選投訴階段，相信這可以增加整個投訴處理過程的認受性。

總結

37. 目前，相對於發展商和銷售代理，一手住宅物業的準買家處於一個資訊不對稱的位置 – 他們難以在決定購買前取得清晰、準確及全面的物業資訊，幫助他們作出明智的購買決定。

38. 本會認為，上述提出的各項建議是恰當和適度的，可保障須要作出一生中最昂貴的購買決定的消費者。此外，鑒於資訊流通乃市場競爭非常重要的環節，各項建議對行業整體而言亦帶來效益。