

FILED

MAY 12 2015

REAL ESTATE COMMISSION
BY *[Signature]*

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

JOSEPH R. DECKER, Administrator,
REAL ESTATE DIVISION, DEPARTMENT
OF BUSINESS & INDUSTRY,
STATE OF NEVADA,

Case No. RES 14-05-76-1056

Petitioner,

DECISION

vs.

DAUNSHARI WONG-CULOTTA,

Respondent.

This matter came on for hearing before the Nevada Real Estate Commission, State of Nevada ("Commission") on Wednesday, April 22, 2015, at the Grant Sawyer Building, Gaming Control Board, 555 East Washington Avenue, Room 2450, Las Vegas, Nevada. Respondent Daunshari Wong-Culotta ("RESPONDENT") failed to appear at the hearing, failed to file an answer to the Complaint, and failed to request a continuance of the Hearing. Keith E. Kizer, Deputy Attorney General, appeared and prosecuted the Complaint on behalf of petitioner Joseph R. Decker, Administrator of the Real Estate Division, Department of Business & Industry, State of Nevada ("Division").

The matter having been submitted for decision based upon the allegations of the Complaint, the Commission now enters its Findings of Fact and Conclusions of Law as follows:

FINDINGS OF FACT

The Commission, based upon the evidence presented during the hearing, finds that there is substantial evidence in the record to establish each of the following Findings of Fact:

1. RESPONDENT had been licensed by the Division as a broker under license number B.0015620.CORP, and as a salesperson under license number S.0015620.
2. RESPONDENT voluntarily surrendered her broker license and her salesperson license effective February 14, 2012, in lieu of disciplinary action.

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1 3. RESPONDENT has not been licensed by the Division since her voluntary
2 surrenders.

3 4. At all times relevant to the Complaint, Michael Jessup was the sole officer and
4 registered agent of Thomas Jessup LLC.

5 5. At all times relevant to the Complaint, RESPONDENT was the principal of CSC
6 Acquisitions & Holdings LLC ("CSC").

7 6. On or about May 15, 2012, RESPONDENT purchased real property at 6421
8 Beechcrest Road, Las Vegas, Nevada, on behalf of Thomas Jessup LLC, and received a
9 \$1,500 commission for the purchase.

10 7. On or about May 15, 2012, RESPONDENT purchased real property at 3808
11 Bach Way, North Las Vegas, Nevada, on behalf of Thomas Jessup LLC, and received a
12 \$1,500 commission for the purchase.

13 8. On or about June 6, 2012, Thomas Jessup LLC granted RESPONDENT and Bo
14 Jones power of attorney to: "Purchase real property, with the power to bid and purchase real
15 property, and endorse any and all cashier's checks over to the selling trustee."

16 9. On or about June 8, 2012, RESPONDENT purchased real property at 588 Bugle
17 Bluff Drive, Henderson, Nevada, on behalf of Thomas Jessup LLC, and received a \$1,500
18 commission for the purchase.

19 10. On or about June 8, 2012, RESPONDENT purchased real property at 3733
20 Solitude Road, Las Vegas, Nevada, on behalf of Thomas Jessup LLC, and received a \$1,500
21 commission for the purchase.

22 11. On or about June 15, 2012, RESPONDENT purchased real property at 9108
23 Bushy Tail Avenue, Las Vegas, Nevada, on behalf of Thomas Jessup LLC, and received a
24 \$1,500 commission for the purchase.

25 12. On or about June 15, 2012, RESPONDENT purchased real property at 6590
26 Gertrude Court, Las Vegas, Nevada, on behalf of Thomas Jessup LLC, and received a \$1,500
27 commission for the purchase.

28 ...

1 13. On or about September 12, 2012, RESPONDENT purchased real property at
2 9179 Smugglers Beach Court, Las Vegas, Nevada, on behalf of Thomas Jessup LLC, and
3 received a \$1,500 commission for the purchase.

4 14. On or about September 14, 2012, RESPONDENT purchased real property at
5 1163 Grass Pound Place, #101, Henderson, Nevada, on behalf of Thomas Jessup LLC, and
6 received a \$1,500 commission for the purchase.

7 15. On or about October 3, 2012, RESPONDENT purchased real property at 3988
8 Button Creek Court, Las Vegas, Nevada, on behalf of Thomas Jessup LLC, and received a
9 \$1,500 commission for the purchase.

10 16. On or about October 10, 2012, RESPONDENT purchased real property at 2053
11 Quartz Cliff Street, #203, Las Vegas, Nevada, on behalf of Thomas Jessup LLC, and received
12 a \$1,500 commission for the purchase.

13 17. On or about December 28, 2012, RESPONDENT purchased real property at
14 5855 Valley Drive, #1054, North Las Vegas, Nevada, on behalf of Thomas Jessup LLC, and
15 received a \$1,500 commission for the purchase.

16 18. On or about January 9, 2013, RESPONDENT purchased real property at 3400
17 Cabana Drive, #2117, Las Vegas, Nevada, on behalf of Thomas Jessup LLC, and received a
18 \$1,500 commission for the purchase.

19 19. On or about January 11, 2013, RESPONDENT purchased real property at 5111
20 Pioneer Avenue, #103, Las Vegas, Nevada, on behalf of Thomas Jessup LLC, and received a
21 \$1,500 commission for the purchase.

22 20. RESPONDENT referred Thomas Jessup LLC to Powerhouse Platinum Realty
23 ("Powerhouse") for property management services for the above properties.

24 21. On or about February 28, 2013, RESPONDENT sent an email to property
25 owners stating that CSC, in conjunction with Powerhouse, would be enacting "an additional
26 administrative fee of \$45 per month, per files," effective March 1, 2013.

27 22. In that February 28, 2013 correspondence, RESPONDENT explains that CSC
28 has "been forced to add additional personnel to manage the number of bills and invoices

1 associated with these homes" and that "[t]his fee will help offset additional man hours
2 necessary to manage the various entities; sewer, water, HOA fee, general maintenance,
3 electric, etcetera, common to all property owners."

4 23. On or about June 20, 2013, RESPONDENT charged Thomas Jessup LLC a
5 \$300 rehab fee for the Beechcrest property.

6 24. On or about June 20, 2013, RESPONDENT charged Thomas Jessup LLC a
7 \$300 rehab fee for the Bushy Tail property.

8 25. On or about June 20, 2013, RESPONDENT charged Thomas Jessup LLC a
9 \$300 rehab fee for the Gertrude Court property.

10 26. On or about September 30, 2014, the Division sent a *Cease and Desist Order* to
11 RESPONDENT, ordering RESPONDENT to cease and desist "from acquiring interests in
12 properties for others for a fee and property management, which requires licensees."

13 27. RESPONDENT engaged in activities which require a real estate license and a
14 property management permit issued by the Division and is, therefore, subject to the
15 jurisdiction of the Division and the Commission, and the provisions of NRS chapter 645 and
16 NAC chapter 645.

17 18 CONCLUSIONS OF LAW

19 The Commission, based upon the preponderance of the evidence, makes the following
20 legal conclusions:

21 1. RESPONDENT received proper notice of the hearing pursuant to NRS Chapters
22 645 and 233B and NAC Chapter 645.

23 2. Pursuant to NAC 645.860, the Commission finds that the following charges
24 specified in the Complaint are true and supported by substantial evidence.

25 3. RESPONDENT violated NRS 645.230(1)(a) on thirteen occasions by engaging
26 in the business of, acting in the capacity of, advertising or assuming to act as, a real estate
27 broker, real estate broker-salesperson or real estate salesperson within the State of Nevada
28 without first obtaining the appropriate license from the Division.

