

BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

SHARATH CHANDRA, Administrator,
REAL ESTATE DIVISION,
DEPARTMENT
OF BUSINESS & INDUSTRY,
STATE OF NEVADA,

Case No. 2015-566

FILED

JUN 26 2019

REAL ESTATE COMMISSION
BY *Evelyn Pattee*

Petitioner,

vs.

MANISH (TOM) PATEL,

Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This matter came on for hearing before the Real Estate Commission, Department of Business and Industry, State of Nevada (the "Commission"), during a regular agenda on June 11, 2019, at the Nevada State Business Center, 3300 W. Sahara Avenue, Nevada Room, Suite 400, Las Vegas, Nevada 89102 (the "Hearing"). The RESPONDENT, MANISH (TOM) PATEL (hereinafter, "RESPONDENT" or "PATEL") did not appear, but filed an answer to the complaint on or about March 21, 2019. Michelle D. Briggs, Esq., Senior Deputy Attorney General with the Nevada Attorney General's Office, appeared on behalf of the Real Estate Division of the Department of Business and Industry, State of Nevada (the "Division"). The Hearing was originally set for March 26-28, 2019, but was granted a continuance as requested by RESPONDENT.

Evelyn Pattee testified regarding notice sent to the RESPONDENT. The Commission admitted the documents into evidence. Ms. Briggs informed the Commission that she had been in touch with a law firm representing RESPONDENT, but that they confirmed on June 7, 2019 that they would not be appearing on RESPONDENT'S behalf for the Hearing and did not expect RESPONDENT to appear either. The Commission found appropriate service of the notice of the Hearing was made.

After hearing testimony and reviewing the documents presented in this matter and for good cause appearing, the Commission now enters its Findings of Fact, Conclusions of

1 Law, and Order as follows:

2 **FINDINGS OF FACT**

3 The Commission, by unanimous vote, based upon the evidence presented during
4 the Hearing, finds that by a preponderance of the evidence in the record the following
5 facts have been proven.

6 1. RESPONDENT MANISH (TOM) PATEL owns and operates Mehul Realty
7 LLC, a Nevada limited liability company (currently revoked) and 1111 Investment
8 Holdings LLC, a Nevada limited liability company.

9 2. RESPONDENT does not hold a license from the Division.

10 3. In March 2015, the Division received a complaint against RESPONDENT
11 and his entities alleging he was paid \$32,000 through 1111 Investment Holdings LLC for
12 procuring the sale of residential property located at 5120 Jamaica Coast Ct, North Las
13 Vegas (the "Property").

14 4. The complainant/buyer knew RESPONDENT was involved in real estate
15 transactions before he was approached about the Property.

16 5. The buyer believed the Property was being sold at a discount because the
17 seller wanted to reduce his inventory.

18 6. RESPONDENT said the purchase price was \$58,000, with \$26,000 to the
19 seller and \$32,000 directly to 1111 Investment Holding, LLC as a finder's fee.

20 7. RESPONDENT did not disclose his ownership interest in 1111 Investment
21 Holding, LLC.

22 8. The buyer believed RESPONDENT was knowledgeable about real estate
23 transactions and trusted him.

24 9. The Property had been purchased by the seller at an association foreclosure
25 sale on or about January 20, 2015 for \$4,001.00.

26 10. On January 29, 2015 the following events transpired:

- 27 a. RESPONDENT was present when the seller gave the purchase agreement to
28 the buyer for signature. The purchase agreement states the purchase price is

\$26,000.

b. RESPONDENT then traveled with the buyer to the recorder's office where RESPONDENT gave the buyer a document labeled assignment of contract to sign.

c. Once the buyer signed the assignment, RESPONDENT gave him the deed executed by the seller, and the buyer filed the deed for recording.

d. Buyer met seller outside the recorder's office and paid seller with a cashier's check for \$26,000.

e. RESPONDENT and buyer then went to Wells Fargo where buyer paid \$32,000 to the account of 1111 Investment Holding, LLC.

11. The assignment of contract references a contract between the buyer and "1111 Investment" concerning the Property, but no such contract existed.

12. RESPONDENT is the manager of 1111 Investment Holdings LLC, but had his business associate Cole Contorelli sign the assignment of contract on behalf of 1111 Investment Holdings, LLC.

13. A disclaimer and disclosure was attached to the purchase agreement that informed the buyer that the prior owner's lender paid the super priority lien prior to the association's foreclosure sale.

14. The buyer initialed the page, but did not understand the legal significance.

15. The Property was sold at a public auction by the lender on March 24, 2015.

16. RESPONDENT claims the \$32,000 was “a finder’s fee for nothing more than putting him, the Buyer, in touch with Operture, the Seller.”

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Commission concludes by unanimous vote that RESPONDENT committed the following violations of law.

17. RESPONDENT violated NRS 645.230(1)(a) as he acted as a real estate broker as defined by NRS 645.030 without an appropriate license when he solicited the buyer for the Property and received compensation through his company 1111 Investment

1 Holding, LLC.

2 **ORDER**

3 The Commission, being fully apprised in the premises, and good cause appearing to
4 the Commission, by unanimous vote, ORDERS as follows:

5 1. RESPONDENT shall pay an administrative fine to the Division in the total
6 amount of \$33,192.45 – which includes a fine of \$32,000 for the violation of law and
7 \$1,192.45 representing the total amount due for the Division's attorney's fees and costs –
8 no later than 30 days from the effective date of this Order.

9 2. The Division may institute debt collection proceedings for failure to timely
10 pay the total fine, including action to reduce this Order to a judgment. Further, if
11 collection goes through the State of Nevada, then RESPONDENT shall also pay the costs
12 associated with collection.

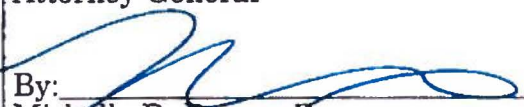
13 3. The Commission retains jurisdiction for correcting any errors that may have
14 occurred in the drafting and issuance of this document.

15 4. This Order shall become effective on the 26th day of July, 2019.
16 DATED this 20th day of June, 2019.

17 REAL ESTATE COMMISSION
18 STATE OF NEVADA

19
20 By: 
President, Nevada Real Estate Commission

21 Submitted by:
22 AARON D. FORD
Attorney General

23
24 By: 
25 Michelle D. Briggs, Esq.
26 Senior Deputy Attorney General
27 555 E. Washington Avenue, Suite 3900
Las Vegas, Nevada 89101
28 (702) 486-3420
Attorneys for Nevada Real Estate Division