

BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

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

Case No. 2018-161

Petitioner,

vs.

FREDERICK BRITTON,

Respondent.

FILED

MAR 31 2020

REAL ESTATE COMMISSION

BY *Evelyn Pattee*

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 March 10, 2020, at the Grant Sawyer Building, 555 East Washington Avenue, Room 4401, Las Vegas, Nevada 89101 (the "Hearing"). RESPONDENT FREDERICK BRITTON (hereinafter, "RESPONDENT" or "BRITTON") did not appear. Karissa D. Neff, Esq., 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").

Ms. Neff advised the Commission that RESPONDENT had contacted her prior to the Hearing and requested a continuance and was advised to request the continuance from the Division in writing.

Evelyn Pattee testified regarding notice sent to the RESPONDENT. The Commission found appropriate service of the notice of the Hearing was made.

RESPONDENT did not properly request a continuance of the Hearing from the Division.

After hearing testimony presented in this matter and for good cause appearing, the Commission now enters its Findings of Fact, Conclusions of Law, and Order by default against RESPONDENT as follows:

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FINDINGS OF FACT

The Commission, by unanimous vote, based upon evidence presented during the Hearing, enters a finding of the following facts by default:

1. RESPONDENT has been licensed as a salesperson under license number S.0175080 since July 3, 2014, said license currently being on inactive status.

2. On or around January 30, 2018, Wendell E. Thomas ("Complainant") filed a complaint with the Division alleging that on or around January 22, 2018, RESPONDENT agreed to represent him in the purchase of a residential property.

3. RESPONDENT sent Complainant a total of four property listings.

4. On or around January 24, 2018, RESPONDENT contacted Complainant and requested that Complainant provide him with a cashier's check in the amount of \$1,250 dollars to be used as an earnest money deposit in the event Complainant desired to purchase any of the properties.

5. That same day Complainant met RESPONDENT at a credit union.

6. RESPONDENT directed Complainant to have the credit union issue the cashier's checks made payable to GGGH&P LLC, a Nevada limited liability company ("GGGH&P").

7. RESPONDENT had the credit union issue one cashier's check in the amount of \$1,000 dollars and one in the amount of \$250 dollars (collectively, the "Cashiers Checks"), both payable to GGGH&P.

8. RESPONDENT was a manager of GGGH&P.

9. On January 25, 2018, Complainant met RESPONDENT at the address of one of the four property listings RESPONDENT provided to him- 1300 Arlington Street, Las Vegas, NV 89104 ("Arlington Property").

10. Complainant asked RESPONDENT to make an offer on the Arlington Property.

11. RESPONDENT informed Complainant that he would prepare the paperwork to submit Complainant's offer on the Arlington Property and would email the offer to Complainant for his signature.

12. Later that week Complainant contacted RESPONDENT regarding the status of the offer on the Arlington Property and also asked RESPONDENT if he could view another property.

1 13. RESPONDENT texted Complainant that he had been in a class and would call him back.

2 14. Despite repeated attempts at contacting RESPONDENT, Complainant never heard back
3 from RESPONDENT.

4 15. In the meantime, Complainant informed his loan officer that he had given the Cashiers
5 Checks to RESPONDENT and that RESPONDENT had failed to return his calls regarding whether an
6 offer had been made on the Arlington Property.

7 16. The loan officer advised Complainant to contact the bank to determine if the Cashier's
8 Checks were cashed.

9 17. The bank informed Complainant that the Cashier's Checks made payable to GGGH&P
10 had been cashed and that GGGH&P belonged to RESPONDENT.

11 18. On or around February 2, 2018, the Division properly gave notice to RESPONDENT that
12 it had opened an investigation regarding Complainant's complaint with the Division and requested
13 responses from RESPONDENT and RESPONDENT's broker.

14 19. In response to the Division's letter, RESPONDENT claimed that the Cashier's Checks he
15 cashed and kept from Complainant were not for an earnest money deposit in connection with Claimant's
16 purchase of residential real estate.

17 20. Rather, RESPONDENT claimed that the Cashier's Checks were to pay RESPONDENT
18 for the sale of Vietnamese currency called Dong to Complainant.

19 21. RESPONDENT's broker, Jaime A. Velez ("Velez"), also responded to the Division's
20 February 2, 2018 letter.

21 22. In Velez's response to the Division, Velez claimed that the Division's investigation
22 involved RESPONDENT's prior broker- not Velez.

23 23. In his response to the Division, Velez also stated that on or around January 30, 2018, he
24 received a text from AmeriFirst Financial ("AmeriFirst") depicting the events that had transpired as
25 alleged in Complainant's complaint with the Division.

26 24. Velez advised AmeriFirst that Complainant should file a formal complaint with the
27 Division.

1 4. The Commission retains jurisdiction for correcting any errors that may have occurred in the
2 drafting and issuance of this document.

3 5. This Order shall become effective on the 30th day of April 2020.


4 DATED this 31st day of March, 2020.

5 REAL ESTATE COMMISSION
6 STATE OF NEVADA

7 By: 
8 President, Nevada Real Estate Commission

9 Submitted by:

10 AARON D. FORD
11 Attorney General

12 By: 
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