

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Petitioner,

vs.

FRANK GARY VILLANI,
(B.0143393.LLC, PM.0164636.BKR)

Respondent.

Case No. 2023-939

FILED

MAY 30 2024

REAL ESTATE COMMISSION

BY *Kelley Valadez*

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This matter came on for hearing before the REAL ESTATE COMMISSION OF THE STATE OF NEVADA (the "Commission") on Thursday, May 16, 2024 (the "Hearing"). RESPONDENT FRANK GARY VILLANI ("RESPONDENT") did not appear in person, through counsel, or otherwise. Phil W. Su, Deputy Attorney General, appeared on behalf of Petitioners SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS & INDUSTRY, STATE OF NEVADA ("Division").

Mr. Su advised the Commission that the RESPONDENT did not provide an answer to the properly filed Complaint and his license is currently in active status. Mr. Su advised the Division that Mr. Villani had come before them on a substantially similar matter last year, regarding his failure to file his year 2022 Trust Account Reconciliation documents; this Complaint concerned his failure to file his year 2023 Trust Account Reconciliation documents. Thereafter, the Division proceeded with a default pursuant to NAC 645.810(13). The Division's Section Coordinator, Kelly Valadez, testified that proper service via certified mail was given to the RESPONDENT. After further discussion, the Commission found that the Division issued effective notice of the hearing, the Complaint and notice thereof, the Notice of Documents with documents bates stamped NRED 0001-0038, and took all efforts required by law to inform the RESPONDENT of the matter before the Commission. The Commissioners also admitted the Division's documents NRED 0001-0038 as exhibits to the proceedings.

1 a responsive affidavit explaining why he had not yet produced the trust account reconciliations.
2 **NRED0029-0030.**

3 8. On January 5, 2024, the Division sent a follow-up letter via certified mail again asking for
4 a response to its investigation regarding the unproduced 2023 trust account reconciliations. **NRED0032-**
5 **0033.**

6 9. As of the filing of this Complaint, RESPONDENT has not provided any response to the
7 Division's requests regarding the unsubmitted 2023 trust account reconciliations.

8 10. On February 15, 2024, the Division sent an NRS 233B letter via certified mail indicating
9 that it obtained sufficient evidence to commence disciplinary charges against him and to seek a formal
10 hearing before the Real Estate Commission. **NRED0037-0038.**

11 **VIOLATIONS OF LAW**

12 The Commissioners find that based upon a preponderance of the evidence, the following
13 violations of law have been proved by default:

14 11. RESPONDENT violated NRS 645.630(1)(g) pursuant to NAC 645.806, by failing to
15 timely submit his annual trust account reconciliations to the Division for 2023, due by the last day of the
16 expiration month for his broker license.

17 12. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(11), by
18 demonstrating gross negligence or incompetence by impeding the Division's investigation due to
19 RESPONDENT'S failure to comply with repeated requests from the Division for a written response and
20 documents relevant to its investigation.

21 **ORDER (2023-939)**

22 The Commission, being fully apprised of the premises and good cause appearing, hereby
23 **ORDERS:**

- 24 1. Respondent Frank Gary Villani's property management permit (PM.0164636.BKR) is
25 hereby revoked;
- 26 2. No property management may be conducted under his brokerage firm;
- 27 3. Respondent shall pay to the Division administrative fines totaling Twenty Thousand
28 Dollars (\$20,000.00);

