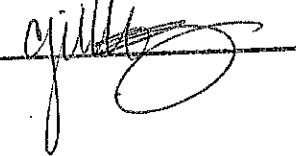


**FILED**

JAN 15 2016

BUREAU OF REAL ESTATE

By 

BEFORE THE BUREAU OF REAL ESTATE

STATE OF CALIFORNIA

\*\*\*\*

In the Matter of the Accusation of	)	CALBRE NO. H-39995 LA
	)	
<u>WESTSIDE PROPERTIES, INC.,</u>	)	
THOMAS JOHN BROOK,	)	
individually, and as designated officer of	)	
Westside Properties, Inc., and	)	
<u>DOMINIC DARON NAIDOO,</u>	)	
	)	
Respondents.	)	
	)	

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on December 10, 2015, and the findings of fact set forth herein are based on one or more of the following: (1) Respondents' express admissions; (2) affidavits; and (3) other evidence.

The right to reinstatement of a revoked real estate license or to the reduction of a suspension is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondent.

FINDINGS OF FACT

1.

On September 28, 2015, Maria Suarez made the Accusation in her official capacity as a Supervising Special Investigator of the State of California. On October 20, 2015, the Accusation, Statement to Respondent, and Notice of Defense were mailed by regular mail and by certified mail, return receipt requested, to Respondents' last known mailing addresses.

2.

On December 10, 2015, no Notice of Defense having been filed herein within the time prescribed by Section 11506 of the Government Code, Respondents, WESTSIDE PROPERTIES, INC. and DOMINIC DARON NAIDOO's defaults were entered herein. Respondent THOMAS JOHN BROOK filed a Notice of Defense.

3.

Respondents are presently licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the California Business and Professions Code, "Code").

4.

From March 30, 2012, through the present, Respondent WESTSIDE PROPERTIES, INC. ("WPI") has been licensed and/or has license rights by the Bureau of Real Estate<sup>1</sup> ("Bureau") as a real estate corporation, License ID 01896245.

5.

From February 1, 1985, through the present, Respondent THOMAS JOHN BROOK ("BROOK") has been licensed by the Bureau as a real estate broker, License ID 00670992. BROOK's license expired on January 7, 2015. Respondent has renewal rights pursuant to Code section 10201. The Bureau retains jurisdiction pursuant to Code section 10103.

6.

From July 31, 2012 through January 16, 2015, Respondent WPI was licensed as a real estate corporation, acting by and through Respondent BROOK as its designated broker-officer. As the broker-officer designated by Respondent WPI pursuant to Section 10211 of the Code, BROOK was responsible for the supervision and control of the activities conducted by WPI's officers and employees on behalf of WPI, as necessary to secure full compliance with Real Estate Law as set forth in Code section 10159.2 and Regulation 2725. On January 16, 2015, the Bureau received notice that BROOK had resigned as an officer and designated broker-officer of WPI. As of January 17, 2015, Respondent WPI's real estate license has been in a "non-working status" and could not perform acts for which a real estate license was required.

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<sup>1</sup> Effective July 1, 2013, the Department of Real Estate became the Bureau of Real Estate ("Bureau"). All references to the agency are to the successor Bureau.

7.

From November 18, 2006, through the present, Respondent DOMINIC DARON NAIDOO ("NAIDOO") has been licensed by the Bureau as a real estate salesperson, License ID 01343805. From May 7, 2012, through April 5, 2014, NAIDOO was licensed under the employment of WPI. NAIDOO's employment with WPI was discontinued on April 6, 2014. From April 6, 2014 to the present, NAIDOO has been licensed as "NBA" (no broker affiliation) or non-working status where the licensee may not perform acts for which a real estate license is required in California.

8.

Respondent WPI is a corporation formed in California on or about February 25, 2010, Corporation File Number C3280903. Respondent NAIDOO is President and sole shareholder of WPI.

9.

On March 1, 2013, the California Franchise Tax Board suspended the corporate powers, rights and privileges of Respondent WPI pursuant to the provisions of the California Revenue and Taxation Code. WPI's corporate status remains suspended.

10.

From March 30, 2012 through December 22, 2013, WPI listed 2814 Abbot Kinney Blvd., Venice, California 90291 as its main office and mailing address with the Bureau. On or about December 23, 2013, WPI notified the Bureau that its new main office address was changed to 1507 7<sup>th</sup> Street, #214, Santa Monica, California 90401.

11.

From March 27, 2012 through February 26, 2014, NAIDOO's mailing address listed with the Bureau was 2814 Abbot Kinney Blvd., Venice, California 90291. On or about February 27, 2014, NAIDOO changed his mailing address listed with the Bureau to 1507 7<sup>th</sup> Street, #214, Santa Monica, California 90401.

12.

On December 9, 2014, a special investigator for the Bureau traveled to 1507 7<sup>th</sup> Street, #214, Santa Monica, California 90401 and discovered that the location is a business that rents private mailboxes. Respondents WPI and NAIDOO were not using this physical location as a main office.

13.

On December 9, 2014, a special investigator for the Bureau traveled to 2814 Abbot Kinney Blvd., Venice, California 90291 and discovered that Respondents were not using this location as a main office.

14.

Respondent WPI failed to maintain a written agreement for every salesperson or broker under a broker-salesperson agreement, including but not limited to: Danielle Suzanne Ariola, Scott W. Brown, Maria Cox Dwyer, James Daly, Rosalie M. Frazier Penner, Anthony Richard Krofsky, Helen J. Seo, Shazeena Ali Williams, and NAIDOO.

15.

Respondent WPI failed to retain the copies of all documents in connection with any transaction requiring a real estate broker license for the preceding three year period.

16.

As of July 20, 2015, and continuing through the present, Respondent NAIDOO, while doing business as WPI, continues to offer to perform real estate activities which require a real estate broker license on various websites including, but not limited to, Activerain, U.S. Condo Exchange, Trulia, Condo.com, WestsideHomefinder.com, and Craig's List. NAIDOO's and WPI's Bureau license ID numbers are not included on said advertisements.

17.

As of December 10, 2015, the Bureau has incurred investigation and enforcement costs for this matter totaling \$4,292.45.

#### DETERMINATION OF ISSUES

1.

The suspension of Respondent WPI's corporate status is in violation of Regulations of the Real Estate Commissioner, Title 10, Chapter 6, California Code of Regulations ("Regulations") Section 2742, subdivision (c), and constitutes grounds to suspend or revoke Respondent WPI's corporate real estate broker license pursuant to Code section 10177, subdivisions (d) and (f).

2.

The conduct, acts and/or omissions of Respondent WPI as set forth above in Findings of Fact, Paragraphs 10 through 13, constitute cause for the suspension or revocation of the real estate license and license rights of Respondent WPI pursuant to Code sections 10165 and 10177, subdivision (d), for violation of Code section 10162.

3.

The conduct, acts and/or omissions of Respondent WPI as set forth above in Findings of Fact, Paragraph 14, constitute cause for the suspension or revocation of the real estate license and license rights of Respondent WPI pursuant to Code section 10177, subdivision (d), for violation of Regulation 2726.

4.

The conduct, acts and/or omissions of Respondent WPI as set forth above in Findings of Fact, Paragraph 15, constitute cause for the suspension or revocation of the real estate license and license rights of Respondent WPI pursuant to Code section 10177, subdivision (d), for violation of Code section 10148.

5.

The conduct, acts and/or omissions of Respondent NAIDOO as set forth above in Findings of Fact, Paragraph 16, constitute cause for the suspension or revocation of the license and license rights of Respondent NAIDOO pursuant to Code sections Code section 10177, subdivision (d), for violation of Code section 10130.

6.

The standard of proof applied was clear and convincing proof to a reasonable certainty.


ORDER

The license and license rights of Respondents, WESTSIDE PROPERTIES, INC. and DOMINIC DARON NAIDOO, under the provisions of Part I of Division 4 of the Business and Professions Code are revoked.

This Decision shall become effective at 12 o'clock noon on FEB - 4 2016.

DATED: DECEMBER 31, 2015.

WAYNE S. BELL  
REAL ESTATE COMMISSIONER

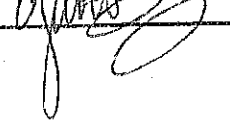
By   
JEFFREY MASON  
CHIEF DEPUTY COMMISSIONER

1 Bureau of Real Estate  
320 West Fourth Street, Suite 350  
2 Los Angeles, California 90013-1105

**FILED**

DEC 10 2015

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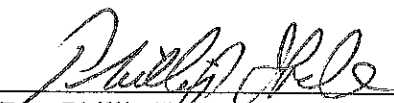
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10 In the Matter of the Accusation of ) CalBRE No. H-39995 LA  
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11 WESTSIDE PROPERTIES, INC. )  
12 THOMAS JOHN BROOK, )  
12 individually and as designated officer of )  
12 Westside Properties, Inc., and )  
13 DOMINIC DARON NAIDOO, ) DEFAULT ORDER  
14 Respondents. )

15 Respondents WESTSIDE PROPERTIES, INC. and DOMINIC DARON  
16 NAIDOO, having failed to file a Notice of Defense within the time required by Section 11506  
17 of the Government Code, are now in default. It is, therefore, ordered that a default be entered  
18 on the record in this matter.

19 IT IS SO ORDERED 12/9/2015.

20 REAL ESTATE COMMISSIONER

21  
22   
23 By: Phillip Ikde  
Regional Manager