

J. KEVIN DRAKE, P.A.

ATTORNEYS AT LAW

J. KEVIN DRAKE1432 FIRST STREET
SARASOTA, FLORIDA 34236
TELEPHONE (941) 954-7750
FACSIMILE (941) 951-1509WRITER'S E-MAIL
kdrake@drakelawyers.com

March 22, 2021

Federal Election Commission
Office of Complaints
Examination & Legal Administration
Attn: Christal Dennis, Paralegal
1050 First Street, NE
Washington, DC 20463

SENT VIA EMAIL TO: cela@fec.gov

RE: MUR 7766 / Queensgate Homes, Inc. (Vensota Properties)

Dear Christal:

This letter is in response to letters received from the FEC dated February 3, 2021, and February 10, 2021, regarding the referenced matter. The correspondence from the FEC dated February 3, 2021, referred to an administrative delay in forwarding a supplement provided by the complainant. The supplement is dated August 14, 2020, being the same date the respondent filed its initial response, a copy of which is attached hereto as Exhibit "A". Between the dates of the most recent FEC correspondence (February 3 and February 10), the FEC had received additional correspondence from the complainant withdrawing the complaint. Frankly, between the dates of the various correspondence, the administrative delay and the withdrawal of the complaint by the complainant, my clients were under the impression that this matter was resolved.

Initially, I will reiterate that the complaint in this matter was filed against Florida Country, a registered Florida political committee, and was not filed against my clients Queensgate Homes, Inc. ("Queensgate") or Vensota Properties, Inc. ("Vensota").

However, with regard to the complaint, my clients provide the following supplemental information for consideration:

1. Vensota is a Florida corporation and owns vacant land in Sarasota County, Florida. Queensgate is a Canadian corporation, and is an administrative entity for Vensota. Queensgate issues checks on Vensota's behalf from a segregated account holding funds for Vensota related expenses. The \$2,500.00 contribution at issue was intended to be a contribution from Vensota, but was incorrectly referenced by Florida Country as a contribution from Queensgate. The \$2,500.00 contribution has since been refunded in full by Florida Country and, as stated by complainant, renders the complaint at issue "far less significant".

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2. Based upon the same set of facts, Complainant also filed a complaint against Eric Robinson, the treasurer of Florida Country, with the Florida Elections Commission (Case No.: FEC 20-295). The Florida Election Commission has determined that the complaint was legally insufficient. A copy of the letter dated January 26, 2021, advising the complainant of the determination is attached hereto as Exhibit "B".

3. Attached hereto as Exhibit "C" is a copy of an affidavit signed by Mr. Fabian Bianchi in which he states, under oath, that all decisions regarding the contribution were made by permanent U.S. residents, without any direction or control by Queensgate Homes, Inc. Mr. Bianchi is the Florida based Director of Vensota and in that capacity manages its operations and decisions on expenditures made in connection with the ownership of the properties. Mr. Bianchi is a permanent resident of the United States.

4. In support of my client's position, I request that AO 1992-16 (Nansay Hawaii, Inc.) be looked to for guidance. In this decision the Commission considered a situation in which a foreign parent corporation provided "regular subsidies [to its domestic subsidiary] in the form of loans or [donations] to capital..." The Commission determined that the domestic subsidiary could make state and local donations, provided that all decisions as to political donations were made by U.S. citizens or permanent residents and also that the subsidiary be able to demonstrate through a reasonable accounting method that it had sufficient funds in its account (other than funds given or loaned by its foreign national parent) from which the donations were made. The Commission explicitly cautioned that, "[t]he amount that the foreign parent distributes to the subsidiary cannot replenish all or any portion of the subsidiary's political [donations] during the period since the preceding subsidy payment." Mr. Bianchi's affidavit expressly addresses the foregoing caution regarding replenishment.

For all of the reasons listed above, and as set forth on the attached exhibits, no action should be taken by the Commission against Vensota or Queensgate, and the complaint should be dismissed.

Very truly yours,



J. KEVIN DRAKE

JKD/tlp
Attachments
cc: client

MUR776600065
J. KEVIN DRAKE, P.A.
ATTORNEYS AT LAW

J. KEVIN DRAKE

1432 FIRST STREET
SARASOTA, FLORIDA 34236
TELEPHONE (941) 954-7750
FACSIMILE (941) 951-1509

WRITER'S E-MAIL
kdrake@drakelawyers.com

August 14, 2020

Federal Election Commission
Office of Complaints
Examination & Legal Administration
Attn: Christal Dennis, Paralegal
1050 First Street, NE
Washington, DC 20463

SENT VIA EMAIL TO: cela@fec.gov

RE: MUR 7766 / Queensgate Homes, Inc. (Vensota Properties)

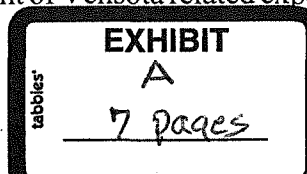
Dear Christal:

This letter is in response to the letter from Jeff S. Jordan, dated July 31, 2020, directed to my client Queensgate Homes, Inc. I have also received a copy of the subject complaint. I have attached the Designations of Counsel executed by both Queensgate Homes, Inc., and Vensota Properties, Inc.

Our understanding is that the complaint is filed against Florida Country, a registered Florida political committee and that a complaint has not been filed against either Queensgate Homes, Inc., or Vensota Properties, Inc.

In response to the correspondence my client provides the following information for consideration:

1. Vensota Properties, Inc. ("Vensota") is a Florida corporation. The U.S. Federal Employer Identification Number for Vensota is 27-5041769. A copy of the Florida Department of State's detail for Vensota is attached. Also attached is a copy of a letter dated August 13, 2020, from Mary L. King, P.L., which handles the tax filings for Vensota.
2. Vensota owns vacant land in Sarasota County, Florida, but otherwise conducts no other significant or regular business activities.
3. Vensota maintains offices in Sarasota and Lakewood Ranch, Florida.
4. Queensgate Homes, Inc. is a Canadian corporation which, among other things, is the administrative entity for Vensota and other similar entities. Although Queensgate Homes, Inc., issues checks on behalf of Vensota, it is from a segregated account funded solely for the purpose of project expenses related to the project owned by Vensota. No funds go in or out of that account that are not related completely and entirely to Vensota. Queensgate is not itself responsible for the payment of Vensota related expenses, it merely administers the bank



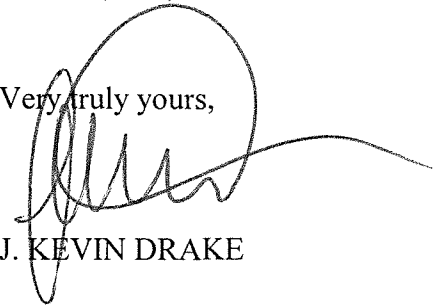
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Attn: Christal Dennis, Paralegal
August 14, 2020
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account. Vensota handles the payment of its own expenses from funds provided to it by the project owners.

5. Attached is a copy of the check representing the contribution of \$2500.00 to Florida Country. The full name of the payor on the check is Queensgate Homes, Inc. (Vensota Properties).
6. The ledger initially filed by Florida Country in accordance with its reporting requirements referred to the subject contribution as being made by Queensgate Homes, Inc., without indicating the account designation of Vensota Properties. We understand that the filing has now been corrected by Florida Country.

It was certainly not the intention of Queensgate Homes, Inc., to violate the Federal Election Campaign Act or any election laws relative to contributions. If there was a technical violation, it was entirely inadvertent and unintentional, and was simply a matter of how the management of the various accounts are handled. For these reasons, and based on the facts recited above, we believe that no action should be taken against Queensgate Homes, Inc., in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J. Kevin Drake', with a long horizontal flourish extending to the right.

J. KEVIN DRAKE

JKD/tlp
Enclosures
cc: client
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FEDERAL ELECTION COMMISSION
1050 First Street, NE
Washington, DC 20463

STATEMENT OF DESIGNATION OF COUNSEL

Provide one form for each Respondent/Witness

EMAIL cela@fec.gov

FAX 202-219-3923

AR/MUR/RR/P-MUR# 7766

Name of Counsel: J. Kevin Drake

Firm: J. Kevin Drake, P.A.

Address: 1432 First Street

Sarasota FL 34236

Office#: (941) 954-7750 Fax#: (941) 951-1509

Mobile#:

E-mail: kdrake@drakelawyers.com

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

8/14/2022
Date

[Signature]
(Signature - Respondent/Agent/Treasurer)

FAUSTO PACOMBO
(Name - Please Print)

President
Title
Queensgate Homes, Inc.

RESPONDENT: Queensgate Homes, Inc.
(Please print Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: 400-3800 Steeles Ave. W
(Please Print)

Woodbridge, ON L4L 4G9

Home#: Mobile#:

Office#: 905-851-5000 Fax#:

E-mail: lauren@queensgatehomes.com

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.

Rev. 2018



FEDERAL ELECTION COMMISSION
1050 First Street, NE
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Provide one form for each Respondent/Witness

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FAX 202-219-3923

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Name of Counsel: J. Kevin Drake

Firm: J. Kevin Drake, P.A.

Address: 1432 First Street
Sarasota FL 34236

Office#: (941) 954-7750 Fax#: (941) 951-1509

Mobile#:

E-mail: kdrake@drakelawyers.com

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

8-14-20

Date

(Signature - Respondent/Agent/Treasurer)

Fabian Bianchi

(Name - Please Print)

Managing Director
Vensota Properties, Inc.
Title

f.bianchi@verizon.net

RESPONDENT:

Queensgate Homes, Inc.
(Please print Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: 400-3800 Steeles Ave. W
(Please Print)

Woodbridge, ON L4L 4G9

Home#: Mobile#:

Office#: 905 851 5000 Fax#:

E-mail: lauren@queensgatehomes.com

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Detail by Entity Name

Florida Profit Corporation
VENSOTA PROPERTIES, INC.

Filing Information

Document Number P10000095481
FEI/EIN Number 27-5041769
Date Filed 11/22/2010
State FL
Status ACTIVE

Principal Address

11523 PALM BRUSH TRAIL, #417
LAKEWOOD RANCH, FL 34202

Mailing Address

11523 PALM BRUSH TRAIL, #417
LAKEWOOD RANCH, FL 34202

Registered Agent Name & Address

J. KEVIN DRAKE, P.A.
1432 FIRST STREET
SARASOTA, FL 34236

Officer/Director Detail

Name & Address

Title D

PALOMBO, FAUSTO
3800 STEELES AVE., WEST, SUITE 400
WOODBIDGE, ONTARIO L4L 4G9 OC

Title Director

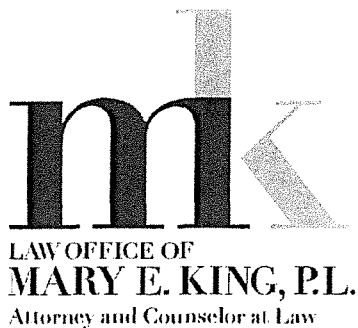
Bianchi, Fabian
11523 PALM BRUSH TRAIL, #417
LAKEWOOD RANCH, FL 34202

Annual Reports

Report Year	Filed Date
2018	04/29/2018
2019	04/24/2019
2020	06/29/2020

Document Images

06/29/2020 -- ANNUAL REPORT	View image in PDF format
04/24/2019 -- ANNUAL REPORT	View image in PDF format
04/29/2018 -- ANNUAL REPORT	View image in PDF format
04/30/2017 -- ANNUAL REPORT	View image in PDF format
04/30/2016 -- ANNUAL REPORT	View image in PDF format
04/29/2015 -- ANNUAL REPORT	View image in PDF format
04/29/2014 -- ANNUAL REPORT	View image in PDF format



3389 Magic Oak Lane
Sarasota, Florida 34232
Office: (941) 906-7585 Facsimile: (941) 906-7586

♦*IRS Problem Resolution* ♦*Tax Return Preparation*

August 13, 2020

Re: Vensota Properties Inc

To Whom It May Concern,

I am an Enrolled Agent that has prepared the 2016, 2017, 2018 and 2019 Federal and State tax returns for Vensota Properties Inc, a Florida Corporation with EIN 27-5041769

Please contact me if any additional information is required.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Johnsen', written over a horizontal line.

Christopher D Johnsen

QUEENSGATE HOMES INC.
(VENSOTA PROPERTIES)
400-3800 STEELES AVE. W.
WOODBIDGE, ONTARIO L4L 4G9

000121

U.S. DOLLAR ACCOUNT

DATE 20 20-04-16
Y Y Y Y M M D DPAY to
the order of

Florida Corning

\$ 2,500.00

Two thousand five hundred

25 DOLLARS
100 U.S. FUNDS

CANADIAN IMPERIAL BANK OF COMMERCE
2340 FINCH AVE. W.
NORTH YORK, ONTARIO M9M 2C7

QUEENSGATE HOMES INC.
(VENSOTA PROPERTIES)

RE

PER

J. P. P. P. P.



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



January 26, 2021

George Thurlow

Gulfport, FL 33707

RE: Case No.: FEC 20-295; Respondent: Eric Robinson

Dear Mr. Thurlow:

The Florida Elections Commission has received your complaint alleging violation of Florida's election laws.

Complainant alleged that Respondent, as Treasurer for Florida Country, a political committee (PC) registered with the Division of Elections, originally reported receipt of a \$2,500 contribution from Queensgate Homes, Inc. (Queensgate), a Canadian corporation, on the PC's 2020 M4 report. Complainant filed a complaint with the Federal Elections Commission alleging that Respondent improperly accepted a contribution from a foreign entity.

Complainant alleged that Respondent subsequently amended Florida Country's 2020 M4 report, changing the contributor name to "Queensgate Homes, Inc. -- Vensota P.", and changing the contributor address to a Florida address, as a result of the federal complaint. The date and amount of the contribution remained the same.

Complainant filed this complaint with the Florida Elections Commission, alleging that Respondent violated Sections 106.07(5) and 106.19 F.S., by changing the contribution on the amended 2020 M4 report to "obscure the donation" from Queensgate. Complainant stated there is no legal connection between Queensgate and Vensota Properties, Inc., (Vensota), and he speculated that the contribution did not come from Vensota, but rather from Queensgate as originally reported.

As evidence, Complainant provided Division of Elections reporting information for Florida Country supporting his allegation that the contributor name and address for the contribution at issue were changed on an amended report, and that Respondent was its treasurer at the time.

In response to the complaint, Respondent acknowledged the change on the 2020 M4 report but stated the contribution as originally reported was the result of a clerical error, which was corrected on an amended report. Respondent stated that the contribution was received from Vensota, a Florida corporation that is a subsidiary of Queensgate, and that Queensgate's name and address were printed on the contribution check Florida Country received from Vensota, leading to the clerical error.

EXHIBIT

B

2 pages

tabbles

George Thurlow
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FEC 20-295

Respondent provided Sunbiz information for Vensota showing it is a Florida for-profit corporation with the same address specified by Respondent on the amended 2020 M4 report. Respondent also attached a letter from the legal counsel of Queensgate and Vensota clarifying that Queensgate handles administrative functions for Vensota, including the issuance of checks drawn on Vensota's own account, which is comprised of Vensota's funds.

He added that Queensgate is not responsible for payment of Vensota related expenses; it merely administers the bank account. Rather, Vensota handles payment of its own expenses from funds provided to it by the project owners. He also stated that the checks written by Queensgate as part of its administrative functions contain the name and address of Queensgate but have Vensota's name in parentheses. A copy of the check was attached. The name on the check was "Queensgate Homes, Inc. (Vensota Properties)," and the address on the check was that of Queensgate, not Vensota.

Based on the letter provided by Respondent, Complainant's speculation that there was no connection between Queensgate and Vensota is incorrect, and it appears that the contribution was indeed from Vensota, not Queensgate. Therefore, it does not appear that Respondent improperly amended the M4 report to "obscure the donation."

For these reasons, I find the complaint to be Legally Insufficient.

If you have additional information to correct the stated ground(s) of insufficiency, please submit it within 14 days of the date of this letter. If no additional information is received correcting the stated grounds of insufficiency, this case will be closed. Enclosed is the form for submitting additional information. Should you submit an additional statement containing facts, your statement must contain your notarized signature. Any additional facts submitted to the Commission must be based on either personal information or information other than hearsay.

If you have any questions concerning the complaint, please contact us at fec@myfloridalegal.com.

Sincerely,



Tim Vaccaro
Executive Director

TV/med


Enclosure: Additional Complaint Information Form 2
cc: Benjamin J. Gibson and Rachel C. Procaccini, Attorneys for Respondent w/out Enclosure

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF MONROE

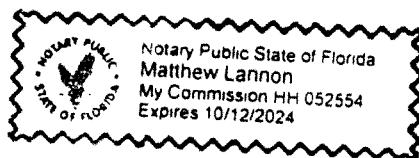
Before me this day personally appeared FABIAN BIANCHI, as Director of Vensota Properties, Inc., a Florida corporation, who being duly sworn, deposes and says that:

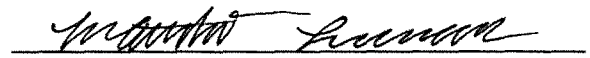
1. The check to Florida Country for \$2,500.00, executed on April 6, 2020, derived entirely from funds generated by Vensota Properties, Inc.'s ("Vensota") operations in the United States.
2. The banking account, which the money was drawn from for the \$2,500.00 check, is from a segregated account funded solely for the purpose of project expenses related to the project owned by Vensota, and Vensota can demonstrate through a reasonable accounting method that it had sufficient funds in its own account, other than funds given or loaned by Queensgate Homes, Inc., from which the contribution was made. Further, Queensgate Homes, Inc., does not replenish all or any portion of Vensota's political contribution.
3. All decisions concerning the \$2,500.00 contribution by Vensota to Florida Country were made by individuals who are permanent residents of the United States.
4. Queensgate Homes, Inc., did not direct, dictate, control or directly or indirectly participate in the decision-making process of Vensota with regard to the decision concerning the making of a contribution to Florida Country.
5. The \$2,500.00 contribution by Vensota to Florida Country has been refunded in full.


 Fabian Bianchi, as Director of Vensota
 Properties, Inc., a Florida corporation

Sworn to and subscribed before me this 18th day of March, 2021, by means of [X] physical presence; or [] online notarization, by Fabian Bianchi, as Director of Vensota Properties, Inc., a Florida corporation.

{SEAL}




 Notary Public
MATTHEW LANNON
 Printed Name
 My Commission Expires: 10/12/2024

 Personally known
✓ Produced Identification

