

Nevada Office of the Attorney General
100 North Carson Street
Carson City, NV 89701-4717

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BEFORE THE COMMISSION OF APPRAISERS OF REAL ESTATE
STATE OF NEVADA

JOSEPH DECKER , Administrator,)
REAL ESTATE DIVISION, DEPARTMENT OF)
BUSINESS AND INDUSTRY,)
STATE OF NEVADA,)

Case No. AP 16.004.N

Petitioner,)

vs.)

ORDER APPROVING
STIPULATION FOR SETTLEMENT OF
DISCIPLINARY ACTION

GREGORY HARTMANN,)
(Unlicensed in Nevada),)

Respondent.)

FILED

FEB 18 2016

NEVADA COMMISSION OF APPRAISERS

The parties' Stipulation for Settlement of Disciplinary Action ("Stipulation"), having come before the Nevada Commission of Appraisers of Real Estate ("Commission") on February 9, 2016, and the Commission being fully apprised in the premises, and good cause appearing to the Commission,

IT IS HEREBY ORDERED that the Stipulation for Settlement of Disciplinary Action ("Stipulation") attached hereto as Exhibit "1" and incorporated herein be, and is, hereby approved.

If the Respondent fails to timely fulfill the terms of the Stipulation, then the Real Estate Division, Department of Business and Industry, State of Nevada ("Division") automatically may rescind the Stipulation and the Order Approving Stipulation for Settlement of Disciplinary Action, and thereafter, may proceed in filing a complaint before the Commission.

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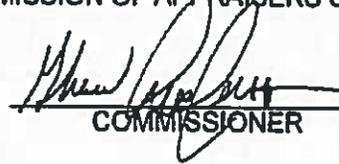
IT IS FURTHER ORDERED that the Division may institute collection proceedings in the event the Respondent fails to timely pay the administrative fine specified in the attached Stipulation.

This Order shall become effective on 2/18/2016.

Dated this 9 day of February, 2016.

COMMISSION OF APPRAISERS OF REAL ESTATE

By:


COMMISSIONER

Approved as to form:

ADAM PAUL LAXALT
Attorney General

By:



PETER K. KEEGAN
Deputy Attorney General
100 North Carson Street
Carson City, Nevada 89701
(775) 684-1207
*Attorneys for Petitioner, Department
of Business and Industry*

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IT IS FURTHER ORDERED that the Division may institute collection proceedings in the event the Respondent fails to timely pay the administrative fine specified in the attached Stipulation.

This Order shall become effective on _____.

Dated this ____ day of _____, 2016.

COMMISSION OF APPRAISERS OF REAL ESTATE

By: 
COMMISSIONER

Approved as to form:

ADAM PAUL LAXALT
Attorney General

By: _____
PETER K. KEEGAN
Deputy Attorney General
100 North Carson Street
Carson City, Nevada 89701
(775) 684-1207
*Attorneys for Petitioner, Department
of Business and Industry*

EXHIBIT 1

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EXHIBIT 1

1 Commission of Appraisers of Real Estate ("Commission") alleging the above offenses, and the
2 Division is authorized under NRS Chapter 645C.215 to seek the imposition of a fine of up to
3 the amount of any gain or economic benefit that the person derived from the violation, or
4 \$5,000.00, whichever is greater, for each offense alleged. The Division also is authorized
5 under NRS Chapter 645C.260 to seek a misdemeanor conviction against the Respondent for
6 engaging in the business of an appraiser without first obtaining a license. The Respondent is
7 prepared to defend any such Complaint; however, the parties desire to compromise and settle
8 the instant controversy upon the following terms and conditions:

- 9 1. The Respondent agrees to pay to the Division the sum of \$5,000.00 in administrative
10 fines in resolution of the instant matter within one (1) month after the effective date of
11 the Commission's Order approving this settlement agreement;
- 12 2. The Division agrees not to pursue any other or greater remedies or fines in connection
13 with the conduct referenced in the Alleged Violations' section, above;
- 14 3. The Respondent and the Division agree that by entering into this Stipulation, the
15 Division does not concede any defense or mitigation the Respondent may assert, and
16 that once this Stipulation is approved and fully performed, the Division will close its file
17 in this matter. The Respondent understands that the public records law may require
18 the Division to make available for inspection this Stipulation and related documents.
19 The Respondent also understands that the Division may share the contents of this
20 Stipulation and related documents with any governmental or professional organization
21 or member of the public;
- 22 4. The Respondent and the Division agree that the Division, at its discretion, may publish
23 in its newsletter a summary of the alleged offenses of the Respondent and the terms
24 of this Stipulation. It is further understood by the parties that this publication is for
25 educational purposes only and to advise other licensees of the alleged violation(s) and
26 that disciplinary action has been taken by the Division;
- 27 5. The Respondent agrees that if the administrative fine is not paid within the time
28 allowed above or the required education is not completed in the time allowed above,

1 the Division may, at its option, rescind this Stipulation and proceed with filing a
2 Complaint before the Commission. Further, recovery actions for the administrative
3 fines may be instituted by the Division;

- 4 6. The Respondent agrees and understands that by entering into this Stipulation, the
5 Respondent is waiving his right (1) to a hearing at which the Respondent may present
6 evidence in his defense and to be represented by counsel and (2) to judicial review of
7 any adverse decision by the Commission, and to present his defense to a
8 Commission which has had no prior familiarity with the instant matter. The
9 Commission members who review this matter for approval of this Stipulation may be
10 the same members who ultimately hear the Division's Complaint if this Stipulation is
11 either not approved by the Commission or is not timely performed by the Respondent;
12 and

- 13 7. Each party shall bear its own attorney's fees and costs.

14 **STIPULATION IS NOT EVIDENCE**

15 Neither this Stipulation nor any statements made concerning this Stipulation may be
16 discussed or introduced into evidence at the hearing of the Complaint if the Division must
17 ultimately put on a case based on the Complaint filed in this matter.

18 **APPROVAL OF STIPULATION**

19 Once executed, this Stipulation will be filed with the Commission and will be put on the
20 agenda for approval at its February 9-11, 2016, meeting, which by Nevada law is a public
21 meeting. The meeting scheduled for February 9-11, 2016, will commence each day at 9:00 a.m.
22 **The Commission Meeting will be located at the Grant Sawyer Building, 555 East**
23 **Washington Avenue, Room 2450, Las Vegas, Nevada 89101, with videoconferencing to**
24 **the Gaming Control Meeting Room, 1919 College Parkway, Carson City, Nevada 89706.**

25 **Your Stipulation is one of several hearings scheduled at the same time as part of**
26 **a regular meeting of the Commission that is expected to last from February 9, 2016,**
27 **through February 11, 2016, beginning each day at 9:00 a.m. At that time, the Division will**
28 **recommend, to the Commission, approval of the Stipulation. The Respondent is required by this**

1 Stipulation to attend said hearing. The Respondent acknowledges and agrees that the
2 Commission may approve this Stipulation, reject it, or suggest different terms that must be
3 communicated to the Respondent and accepted or rejected by the Respondent before any such
4 amendment shall become effective.

5 **WITHDRAWAL OF STIPULATION**

6 If the Commission rejects this Stipulation or suggests terms unacceptable to the
7 Respondent, the Respondent may withdraw from this Stipulation, and the Division may pursue
8 its complaint before the Commission.

9 **RELEASE**

10 In consideration of execution of this Stipulation, the Respondent, or his heirs,
11 executors, administrators, successors, and assigns, hereby release, remise, and forever
12 discharge the State of Nevada, the Department of Business and Industry of the State of
13 Nevada, the Division, and each of their members, agents, and employees in their individual
14 and representative capacities, from any and all manner of actions, causes of action, suits,
15 debts, judgments, executions, claims, and demands whatsoever, known and unknown, in law
16 or equity, that the Respondent ever had, now has, may have, or claim to have against any or
17 all of the persons or entities named in this section, arising out of or by reason of the Division's
18 investigation, disciplinary action, and all other matters relating thereto.

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INDEMNIFICATION

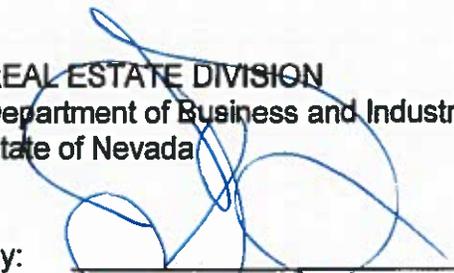
The Respondent hereby indemnifies and holds harmless the State of Nevada, the Department of Business and Industry of the State of Nevada, the Division, and each of their members, agents, and employees in their individual and representative capacities against any and all claims, suits, and actions brought against said persons and/or entities by reason of the Division's investigation, this disciplinary action and all other matters relating thereto, and against any and all expenses, damages, and costs, including court costs and attorney fees, which may be sustained by the persons and/or entities named in this section as a result of said claims, suits, and actions.

IT IS SO STIPULATED.

Dated: 02/18/16, 2016

REAL ESTATE DIVISION
Department of Business and Industry
State of Nevada

By:



JOSEPH DECKER
Administrator

Dated: 2/9/16, 2016



GREGORY HARTMANN
Respondent

Approved as to form:

ADAM PAUL LAXALT
Attorney General

By:



PETER K. KEEGAN
Deputy Attorney General
100 North Carson Street
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