

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

1 **BEFORE THE COMMISSION OF APPRAISERS OF REAL ESTATE**

2 **STATE OF NEVADA**

3 SHARATH CHANDRA , Administrator,)
4 REAL ESTATE DIVISION, DEPARTMENT OF)
5 BUSINESS AND INDUSTRY,)
6 STATE OF NEVADA,)

Case No.: AP 17.005.N

6 Petitioner,)

ORDER APPROVING

7 vs.)

STIPULATION FOR SETTLEMENT OF

8 GORDON K. VELLA,)
9 (Unlicensed in Nevada),)

DISCIPLINARY ACTION

FILED

10 Respondent.)

OCT 11 2016

NEVADA COMMISSION OF APPRAISERS

12 The parties' Stipulation for Settlement of Disciplinary Action ("Stipulation"), having
13 come before the Nevada Commission of Appraisers of Real Estate ("Commission") on October
14 11, 2016, and the Commission being fully apprised in the premises, and good cause
15 appearing to the Commission,

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

19 If the Respondent fails to timely fulfill the terms of the Stipulation, then the Real Estate
20 Division, Department of Business and Industry, State of Nevada ("Division"), may
21 automatically rescind the Stipulation and the Order Approving Stipulation for Settlement of
22 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 NOVEMBER 10th 2016
Dated this 11th day of OCTOBER, 2016.

COMMISSION OF APPRAISERS OF REAL ESTATE

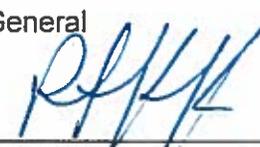
By:


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
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*Attorneys for Petitioner, Department
of Business and Industry*

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EXHIBIT 1

EXHIBIT 1

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BEFORE THE COMMISSION OF APPRAISERS OF REAL ESTATE
STATE OF NEVADA

SHARATH CHANDRA , Administrator,)
REAL ESTATE DIVISION, DEPARTMENT OF)
BUSINESS AND INDUSTRY,)
STATE OF NEVADA,)
Petitioner,)
vs.)
GORDON K. VELLA,)
(Unlicensed in Nevada),)
Respondent.)

Case No. AP17.005N

STIPULATION FOR SETTLEMENT OF
DISCIPLINARY ACTION
FILED
OCT 11 2016

NEVADA COMMISSION OF APPRAISERS

This Stipulation ("Stipulation") is entered into by and between the Petitioner, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS AND INDUSTRY, STATE OF NEVADA ("Division"), by and through its Administrator, SHARATH CHANDRA; and the Respondent, GORDON K. VELLA ("Respondent"). The Respondent was, at all times relevant to this Stipulation, unlicensed as a certified residential appraiser in the State of Nevada.

ALLEGED FACTS

1. On or about June 28, 2016, the Division received an inquiry from United Federal Credit Union concerning the license status of the Respondent because Respondent had completed an appraisal for a property located in the State of Nevada.
2. On or about May 17, 2016, the Respondent performed an appraisal of the property of located at 2587 Business Parkway, Minden, Nevada 89423 ("Property"), by analyzing the nature, quality, value, or use of the property, and offered his opinion as to the nature, quality, value or use of the property for or with the expectation of compensation.
3. The Respondent has never held an active license in the State of Nevada, nor did he apply for a temporary practice permit to conduct the subject appraisal, which he has done in prior instances.
4. On or about August 1, 2016, Appraisal Officer Brenda Kindred-Kipling notified the Respondent that it had come to the attention of the Division that the Respondent

1 performed a real estate appraisal of the property located at 2587 Business Parkway, Minden,
2 Nevada 89423 on or around May 17, 2016, without first obtaining the proper license or permit.

3 5. On or about August 2, 2016, the Respondent forwarded an email response to
4 Ms. Kindred-Kipling.

5 6. The investigation by the Division has revealed that Respondent performed an
6 appraisal as per 645C.030 without first receiving from the Division the proper certification,
7 license, or permit as required per NRS 645C.260.

8 7. The investigation by the Division further revealed that Respondent had included
9 a copy of an altered temporary permit, which was not issued by the Division and was in fact
10 invalid, with his appraisal of the Property.

11 **ALLEGED VIOLATIONS**

12 **First Claim for Relief**

13 The Respondent committed a violation of NRS 645C.260, by performing an analysis,
14 opinion, or conclusion, whether written or oral, relating to the nature, quality, value, or use of a
15 specified interest in, or aspect of, identified real estate for or with the expectation of receiving
16 compensation, which constituted an appraisal pursuant to NRS 645C.030. Respondent
17 engaged in this conduct without first obtaining the requisite certificate, license, registration, or
18 registration card, or other type of authorization required pursuant to NRS Chapter 645C.
19 Pursuant to NRS 645C.260(2), the Division may request its attorney to pursue criminal
20 sanctions in a court of competent jurisdiction for a violation of NRS 645C.260.

21 **Second Claim for Relief**

22 The Respondent committed a violation of NRS 645C.215, by knowingly performing an
23 analysis, opinion, or conclusion, whether written or oral, relating to the nature, quality, value,
24 or use of a specified interest in, or aspect of, identified real estate for or with the expectation of
25 receiving compensation, which constituted an appraisal pursuant to NRS 645C.030.
26 Respondent engaged in this conduct without first obtaining the requisite certificate, license,
27 registration, or registration card, or other type of authorization required pursuant to NRS
28 Chapter 645C.

1 publish in its newsletter a summary of the alleged offenses of the Respondent and the terms of
2 this Stipulation. It is further understood by the parties that this publication is for educational
3 purposes only and to advise other licensees of the alleged violation(s) and that disciplinary action
4 has been taken by the Division;

5 5. The Respondent agrees that if the administrative fine is not paid within the time
6 allowed above, the Division may, at its option, rescind this Stipulation and proceed with filing a
7 Complaint before the Commission. Further, recovery actions for the administrative fines may be
8 instituted by the Division;

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

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

18 **STIPULATION IS NOT EVIDENCE**

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

22 **APPROVAL OF STIPULATION**

23 Once executed, this Stipulation will be filed with the Commission and will be put on
24 the agenda for approval at its October 11-13, 2016, meeting, which by Nevada law is a
25 public meeting. The meeting scheduled for October 11-13, 2016, will commence each day
26 at 9:00 a.m. The Commission Meeting will be located at the Gaming Control Board
27 Office, 1919 College Parkway, Carson City, Nevada, 89706, with videoconferencing to
28 the Nevada Gaming Control Board, 555 E. Washington Avenue, Hearing Room 2450,

1 Las Vegas Nevada, 89101.

2 Your Stipulation is one of several hearings scheduled at the same time as part of
3 a regular meeting of the Commission that is expected to last from October 11-13, 2016,
4 beginning each day at 9:00 a.m. At that time, the Division will recommend, to the
5 Commission, approval of the Stipulation. The Respondent is not required by this Stipulation to
6 attend said hearing. The Respondent acknowledges and agrees that the Commission may
7 approve this Stipulation, reject it, or suggest different terms that must be communicated to the
8 Respondent and accepted or rejected by the Respondent before any such amendment shall
9 become effective.

10 **WITHDRAWAL OF STIPULATION**

11 If the Commission rejects this Stipulation or suggests terms unacceptable to the
12 Respondent, the Respondent may withdraw from this Stipulation, and the Division may pursue
13 its complaint before the Commission.

14 **RELEASE**

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

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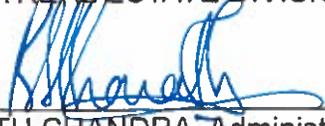
INDEMNIFICATION

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 this 10th day of October, 2016.

NEVADA REAL ESTATE DIVISION

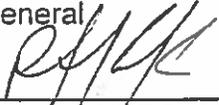
By: 
SHARATH CHANDRA, Administrator
2501 East Sahara Avenue
Las Vegas, Nevada 89104-4137
(702) 486-4033

DATED this 7TH day of October, 2016

By: 
GORDON VELLA
Respondent

Approved as to form:

ADAM PAUL LAXALT
Attorney General

By: 

PETER K. KEEGAN
Deputy Attorney General
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