

1 **BEFORE THE COMMISSION OF APPRAISERS OF REAL ESTATE**
2 **STATE OF NEVADA**

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

8 Petitioner,)

9 vs.)

10 NICKOLAS ST. GEORGE)
11 (UNLICENSED); AND)
12 AAG VALUATION, INC.,)
13 Respondent.)

Case No. 2018-28, AP18.010.N

COMPLAINT AND NOTICE OF
HEARING

FILED

DEC 27 2018

NEVADA COMMISSION OF APPRAISERS

13 State of Nevada, Department of Business and Industry, Real Estate Division (“the
14 Division”), by and through counsel, Attorney General ADAM PAUL LAXALT and Deputy
15 Attorney General PETER K. KEEGAN, hereby notifies NICKOLAS ST. GEORGE
16 (“Respondent”) and AAG VALUATION, INC. (“AAG”) of an administrative hearing which
17 is to be held pursuant to Chapter 233B and Chapter 645C of the Nevada Revised Statutes
18 (“NRS”) and Chapter 645C of the Nevada Administrative Code (“NAC”). The purpose of
19 the hearing is to consider the allegations stated below and to determine if the Respondent
20 should be subject to a disciplinary penalty as set forth in NRS 645C and or NAC 645C, if
21 the stated allegations are proven at the hearing by the evidence presented.

22 **JURISDICTION**

23 The Respondent is a not licensed by the Division, but has engaged in appraisal
24 activity in the State of Nevada. By availing himself of the benefits and protections of the
25 laws of the State of Nevada, the Respondent has submitted to the jurisdiction of the
26 Division.

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1 FACTUAL ALLEGATIONS

2 1. On or about January 5, 2018, the Division received a complaint/statement of
3 fact asserting that the Respondent had completed an unlicensed appraisal of real
4 property located in Reno, Nevada.

5 2. The Complaint included a copy of an Appraisal (“the Appraisal”), performed
6 by Canyon Coast Appraisal, for a residential property located at 8531 Coral Reef Drive,
7 Reno, Nevada 89506 (“the Property”).

8 3. The client of the Appraisal is identified as Bayshore Advisors Inc.

9 4. The effective date of value on the Appraisal is December 18, 2017.

10 5. The Complainant alleged that his name was fraudulently affixed to the
11 Appraisal without his consent.

12 6. The Complainant further alleged that Canyon Coast Appraisal is a front
13 company and is actually Associates Appraisal Group (“AAG”).

14 7. The Complainant alleged that AAG contacted him on or about December 17,
15 2017, to request a fee quote for desk reviews on appraisals, including one for the a single-
16 family home in Reno, Nevada, “the Property.”

17 8. The Complainant states that he did not perform the desk review for the
18 Property, but did provide a copy for the redacted appraisal to the Division with his
19 Complaint.

20 9. On or about January 10, 2018, the Division mailed an investigation opening
21 letter containing a copy of the Complaint, via certified mail, to the Respondent and AAG.

22 10. On or about January 10, 2018, the Division mailed an investigation opening
23 letter containing a copy of the Complaint, via certified mail, to Bayshore Advisors, Inc.

24 11. As of the date of this Complaint, neither the Respondent nor AAG responded
25 to the Division’s investigation opening letter.

26 12. On or about January 23, 2018, the Division received correspondence from
27 Mr. John Larkin at Bayshore Advisors, Inc. indicating that they are a commercial lender
28 and contract with Appraisal Commercial, Inc. for many of their Appraisals; Mr. Larkin

1 also provided a full copy of the Appraisal.

2 13. The copy of the Appraisal provided by Bayshore Advisors, Inc. matches the
3 copy of the Appraisal included by the Complainant in his Complaint.

4 14. On or about September 10, 2018, the Division sent Respondent an NRS 233B
5 Letter, providing notice of intent to file a formal complaint and request for hearing with
6 the Nevada Appraisal Commission on the allegations of unlicensed activity.

7 15. The Respondent has never held an appraisal license or certificate in the
8 State of Nevada.

9 16. AAG has never held an appraisal management company license in the State
10 of Nevada.

11 17. By analyzing the nature, quality, value, or use of the property, Respondent
12 and AAG performed an appraisal by offering an opinion as to the nature, quality, value or
13 use of the Property for or with the expectation of compensation.

14 **VIOLATIONS OF LAW**

15 **First Violation**

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

23 **DISCIPLINE AUTHORIZED**

24 1. Pursuant to NRS 645C.215, the Commission is empowered to impose an
25 administrative fine against the Respondent in an amount not to exceed the amount of
26 gain or economic benefit that the person derived from the violation, or \$5,000.00,
27 whichever amount is greater, pursuant to NRS 645C.215(2)

28 2. Additionally, under NRS Chapter 622.400, the Commission is authorized to

1 impose the costs of the proceeding upon the Respondent, including investigative costs and
2 attorney's fees, if the Commission otherwise imposes discipline on the Respondent.

3 3. Therefore, the Division requests the Commission to impose such discipline as
4 it determines is appropriate under the circumstances and to award the Division its costs
5 and attorney's fees for this proceeding.

6 **PLEASE TAKE NOTICE** that a disciplinary hearing has been set to consider this
7 Administrative Complaint against the above-named Respondent in accordance with
8 Chapter 233B and Chapter 645C of the Nevada Revised Statutes and Chapter 645C of the
9 Nevada Administrative Code.

10 **THE HEARING WILL TAKE PLACE** at the Commission meeting scheduled
11 for January 29-31, 2019, beginning at approximately 9:00 a.m. each day, or until
12 such time as the Commission concludes its business. The Commission meeting
13 will be held at the Nevada State Business Center, 3300 W. Sahara Avenue,
14 Nevada Room, Suite 400, Las Vegas, Nevada 89102, with videoconferencing to
15 the State of Nevada, Department of Business and Industry, 1830 East College
16 Parkway, Suite 100, Carson City, Nevada 89706.

17 **STACKED CALENDAR:** Your hearing is one of several hearings that may
18 be scheduled at the same time as part of a regular meeting of the Commission
19 that is expected to take place on January 29-31, 2019. Thus, your hearing may
20 be continued until later in the day or from day to day. It is your responsibility
21 to be present when your case is called. If you are not present when your case is
22 called, a default may be entered against you, and the Commission may decide
23 the case as if all allegations in the complaint were true. If you have questions
24 regarding the issuance of subpoenas and/or other accommodations, please call
25 **Samuel Williams, Commission Coordinator, at (702) 486-4606.**

26 **YOUR RIGHTS AT THE HEARING:** Except as mentioned below, the hearing is an
27 open meeting under Nevada's open meeting law and may be attended by the public. After
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1 the evidence and arguments, the Commission may conduct a closed meeting to discuss
2 your alleged misconduct or professional competence. A verbatim record will be made by a
3 certified court reporter. You are entitled to a copy of the transcript of the open and closed
4 portions of the meeting, although you must pay for the transcription.

5 As the Respondent, you are specifically informed that you have the right to appear
6 and be heard in your defense, either personally or through your counsel of choice. At the
7 hearing, the Division has the burden of proving the allegations in the complaint and will
8 call witnesses and present evidence against you. You have the right to respond and to
9 present relevant evidence and argument on all issues involved. You have the right to call
10 and examine witnesses, introduce exhibits, and cross-examine opposing witnesses on any
11 matter relevant to the issues involved.


12 You have the right to request that the Commission issue subpoenas to compel
13 witnesses to testify and/or evidence to be offered on your behalf. In making this request,
14 you may be required to demonstrate the relevance of the witnesses' testimony and/or
15 evidence. Other important rights you have are listed in NRS Chapter 645C, NRS
16 Chapter 233B, and NAC Chapter 645C.

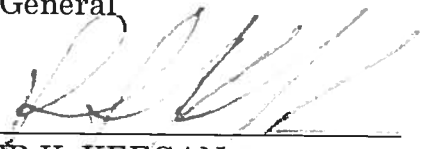
17 DATED the 27 day of December 2018.

DATED the 26th day of December 2018.

18 NEVADA REAL ESTATE DIVISION

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Attorney General

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