

1 BEFORE THE COMMISSION FOR COMMON-INTEREST
2 COMMUNITIES AND CONDOMINIUM HOTELS
3 STATE OF NEVADA

4 Sharath Chandra, Administrator,
5 Real Estate Division, Department of
6 Business & Industry, State of Nevada,

7 Petitioner,

8 vs.

9 Jeffrey Allan Frederick,

10 Respondent.

Case No. 2017-1573

FILED

JAN 25 2018

NEVADA COMMISSION OF
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

11 **COMPLAINT FOR DISCIPLINARY
12 ACTION AND NOTICE OF HEARING**

13 The Real Estate Division of the Department of Business and Industry, State of
14 Nevada (the "Division"), by and through its counsel, Adam Paul Laxalt, Attorney General
15 of the State of Nevada, and Michelle D. Briggs, Esq., Senior Deputy Attorney General,
16 hereby notifies Respondent Jeffrey Allan Frederick ("RESPONDENT" or "FREDERICK")
17 of an administrative hearing before the Commission for Common-Interest Communities
18 and Condominium Hotels, State of Nevada, which is to be held pursuant to Chapters
19 233B and Chapters 116 and 116A of the Nevada Revised Statutes ("NRS") and Chapter
20 116 and 116A of the Nevada Administrative Code ("NAC"). The purpose of the hearing is
21 to consider the allegations stated below and to determine if an administrative penalty
22 will be imposed on RESPONDENT pursuant to the provisions of NRS 116A.900.

23 **JURISDICTION AND NOTICE**

24 1. During all relevant times mentioned in this complaint, FREDERICK
25 performed the duties of a community association manager and is, therefore, subject to the
26 jurisdiction of the Division and the provisions of NRS Chapters 116 and 116A and NAC
27 Chapters 116 and 116A.

28 **FACTUAL ALLEGATIONS**

2. This Commission revoked FREDERICK'S community manager certificate
(CAM.0007580) on March 8, 2017.

1 impose discipline as it deems appropriate, including, but not limited to one or more of the
2 following actions:

3 1. Impose a fine not to exceed the amount of any gain or economic benefit
4 RESPONDENT derived from the violation or \$10,000, whichever is greater;

5 2. Require the RESPONDENT to pay the costs of the investigation and
6 hearing; and

7 3. Take such other disciplinary action as the Commission deems appropriate.

8 The Commission may order one or any combination of the discipline described
9 above.

10 NOTICE OF HEARING

11 PLEASE TAKE NOTICE, that a disciplinary hearing has been set to consider
12 this Administrative Complaint against the above-named RESPONDENT in accordance
13 with Chapters 233B and 116 and 116A of the Nevada Revised Statutes and Chapters 116
14 and 116A of the Nevada Administrative Code.

15 THE HEARING WILL TAKE PLACE at the Commission meeting scheduled for
16 March 6-8, 2018, beginning at approximately 9:00 a.m. each day, or until such time as the
17 Commission concludes its business. The Commission meeting will be held at the Nevada
18 State Business Center, 3300 W. Sahara Avenue, Nevada Room, Suite 400, Las Vegas,
19 Nevada 89102 with videoconferencing to Department of Business & Industry, Director's
20 Office, 1830 East College Parkway, Suite 100, Carson City, Nevada 89706.

21 STACKED CALENDAR: Your hearing is one of several hearings that may be
22 scheduled at the same time as part of a regular meeting of the Commission that is
23 expected to take place on March 6-8, 2018. Thus, your hearing may be continued until
24 later in the day or from day to day. It is your responsibility to be present when your case
25 is called. If you are not present when your hearing is called, a default may be entered
26 against you and the Commission may decide the case as if all allegations in the complaint
27 were true. If you need to negotiate a more specific time for your hearing in advance
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1 because of coordination with out of state witnesses or the like, please call Teralyn
2 Thompson, Administration Section Manager, at (702) 486-4036.

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

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

16 You have the right to request that the Commission issue subpoenas to compel
17 witnesses to testify and/or evidence to be offered on your behalf. In making this request,
18 you may be required to demonstrate the relevance of the witness's testimony and/or
19 evidence. Other important rights and obligations, including your obligation to answer the
20 complaint, you have are listed in NAC 116A.560 through NAC 116A.655, NRS Chapter
21 233B, and NRS Chapters 116 and 116A and NAC 116 and 116A.

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1 Note that under NAC 116A.585, not less than five (5) working days before a
2 hearing, RESPONDENT must provide to the Division a copy of all reasonably available
3 documents that are reasonably anticipated to be used to support his or her position, and a
4 list of witnesses RESPONDENT intends to call at the time of the hearing. Failure to
5 provide any document or to list a witness may result in the document or witness being
6 excluded from RESPONDENT'S defense. The purpose of the hearing is to determine if the
7 RESPONDENT has violated any of the provisions of NRS and NAC Chapters 116 and
8 116A, and to determine what administrative penalty is to be assessed against
9 RESPONDENT.

10 DATED this 24 day of January, 2018.

11 REAL ESTATE DIVISION,
12 DEPARTMENT OF BUSINESS & INDUSTRY,
13 STATE OF NEVADA

14 By: 

15 Sharath Chandra, Administrator
16 3300 W. Sahara Avenue
17 Las Vegas, Nevada 89104
18 (702) 486-4033

19 ADAM PAUL LAXALT
20 Attorney General

21 By: 

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23 Senior Deputy Attorney General
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