



DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION

www.red.state.nv.us

**NOTICE & AGENDA OF PUBLIC MEETING
OF THE
NEVADA REAL ESTATE COMMISSION**

NOVEMBER 15 – 17, 2011

The Nevada Real Estate Commission will conduct a meeting beginning **TUESDAY, NOVEMBER 15, 2011, beginning at 8:30 a.m. and each day thereafter at 8:30 a.m. through THURSDAY, NOVEMBER 17, 2011, or until the Commission concludes its business** at the following locations:

NOVEMBER 15, 2011

**Grant Sawyer Building
555 E. Washington Ave.
Room 4401
Las Vegas, NV 89101**

VIDEO CONFERENCE TO:

**Legislative Building
401 S Carson St
Room 3138
Carson City, NV 89701**

NOVEMBER 16, 2011

**Grant Sawyer Building
555 E. Washington Ave.
Room 4412
Las Vegas, NV 89101**

VIDEO CONFERENCE TO:

**Legislative Building
401 S Carson St
Room 3138
Carson City, NV 89701**

NOVEMBER 17, 2011

**Bradley Building
2501 E. Sahara Avenue
2nd Floor Conference Room
Las Vegas, NV 89104**

STACKED AGENDA: Below is an agenda of all items scheduled to be considered. Unless otherwise stated, items may be taken out of the order presented on the agenda by the discretion of the President. Items may also be combined for consideration or pulled or removed from the agenda at any time. Persons who have business before the Commission are solely responsible to see that they are present when their business is conducted. Public Comment may be limited to three minutes per person at the discretion of the President. The Commission may only take action on those items denoted as potential action items.

NOTICE: Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Please call Joanne Gierer at (702) 486-4036, so arrangements may be conveniently made.

NOTICE: Prior to the commencement and conclusion of a contested case or a quasi judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment. See NRS 233B.126.

*** Denotes potential action item**

1. COMMISSION/DIVISION BUSINESS

- A) Swearing in of Commissioner David Boyer
Commissioner Boyer will be sworn in by the administration of the Oath of Office.
- B) Introduction of Commissioners in Attendance.
- C) Introduction of Division Staff in Attendance.

2. PUBLIC COMMENTS

MEMBERS OF THE PUBLIC ARE ENCOURAGED TO ADDRESS THE COMMISSION REGARDING ANY MATTER. HOWEVER, NO ACTION MAY BE TAKEN ON A MATTER. NO COMMENTS MAY BE MADE REGARDING A MATTER THAT IS OR MAY BE THE SUBJECT OF A FORMAL COMPLAINT BEFORE THE COMMISSION. COMMENT MAY NOT BE LIMITED BASED ON VIEWPOINT. PERSONS WHO DESIRE TO SUBMIT WRITTEN TESTIMONY SHOULD SUBMIT TEN (10) COPIES TO THE COMMISSION COORDINATOR. ***PUBLIC COMMENT MAY BE LIMITED TO THREE MINUTES PER PERSON AT THE DISCRETION OF THE CHAIRPERSON.***

3. COMMISSION/DIVISION BUSINESS

- A) Discussion regarding Attorney General Case Status Report.
- B) Discussion regarding the Disciplinary Report.
- C) Discussion regarding the Compliance Section’s current caseload report, including summary of recent topics of complaints filed.
- D) *Discussion and possible action to approve minutes of the July 19-21, 2011 meeting.
- E) Discussion regarding Administrator’s report on:
 - 1. Division’s schedule for server and software upgrades;
 - 2. What is available through the Division’s on-line look up; and
 - 3. Personnel.
- F) *Discussion and possible action regarding proposed regulatory changes to NAC 645, including but not limited to R093-10.
- G) *Discussion and possible action regarding revisions to the Residential Disclosure Guide.
- H) Discussion concerning changes to the Seller Real Property Disclosure form #547 revised 10/01/11.
- I) Discussion concerning the Continuing Education Audit Report.
- J) Discussion regarding dual designation of courses approved for continuing education by the Commission.
- K) *Discussion and possible action regarding Respondent’s petition to reconsider Commission’s order.
 - 1. NRED v. Benedict Prasad
Case No. S08-09-09-093
Effective Date of Order: April 24, 2009
- L) Discussion regarding possible unlicensed activity occurring at foreclosure auctions.
- M) Discussion regarding Commission meeting documentation provided in electronic format.

- N) *Discussion and possible action concerning proposed meeting schedule for calendar year 2012.
- O) *Discussion and possible action on date, time, place & agenda items for upcoming meetings.
- P) Commissioner Comments.

4. * WORKSHOP:

A) 11/16/11 @ 8:30 a.m. REGULATION WORKSHOP FOR LCB FILE No. R093-10:

Workshop by the Nevada Real Estate Commission to adopt proposed regulations known as LCB File No. R093-10, which establishes the following:

- < A regulation relating to licensing and education in real estate;
- < Revises the general requirements for continuing education for first time licensees;
- < Revises the specific requirements for renewal of license other than initial license and for reinstatement of license;
- < Revises the courses required for first-year licenses; exempt licensees; standards for courses; and
- < Providing other matters properly relating thereto.

5. *DISCIPLINARY ACTION

1. NRED v. Brooke Boemio for possible action

Case No. RES 10-08-13-040

License No. S.0072963 (Active)

2. NRED v. Gina Calver for possible action

Case No. RES 10-10-10-087

License No. Unlicensed

3. NRED v. Francisco Aguila Canez for possible action

Case No. RES 11-09-08-078

License No. PM.0163283 (Inactive) & S.0065054 (Inactive)

4. NRED v. Yuen Wan Ivy Chan for possible action

Case No. RES 11-11-22-199

License No. S.0167437 (Active in Renewal)

5. NRED v. Cota, G. Michael for possible action

Case No. RES 10-10-09-086

License No. BS.0031676 (Inactive)

6. NRED v. Sandra J. Davis for possible action

Case No. RES 10-12-14-149

License Nos. PM.0163132 (Closed) & B.0039271.LLC (New Credential issued)

7. NRED v. Sandra J. Davis for possible action

Case No. RES 10-09-03-058

License Nos. PM.0163132 (Closed) & B.0039271.LLC (New Credential issued)

8. NRED v. Sandra J. Davis for possible action

Case No. RES 10-10-02-079

License Nos. PM.0163132 (Closed) & B.0039271.LLC (New Credential issued)

9. NRED v. Sandra J. Davis for possible action

Case No. RES 09-08-21-063

License Nos. PM.0163132 (Closed) & B.0039271.LLC (New Credential issued)

10. NRED v. Judy Gabriel for possible action

Case No. RES 11-05-32-409

License No. Unlicensed

11. NRED v. Gisela Galvan for possible action

Case No. RES 09-11-53-201

License No. S.0032250 (Active)

12. NRED v. Joel P. Silverman for possible action

Case No. RES 11-09-15-085

License Nos. B.0003840.LLC (Active) & PM.0162327.BKR (Active)

13. NRED v. Douglas Sutfin for possible action

Case No. RES 09-06-33-396

License No. Unlicensed

14. NRED v. Diane Wild for possible action

Case No. RES 11-05-31-408

License No. Unlicensed

15. NRED v. Daunshari Wong-Culotta for possible action

Case No. RES 11-07-05-005

License No. B.0015620.CORP (Invalidated) & S.0015620 (Suspended)

6. *LICENSE DENIAL APPEAL

(1) (Note: Portions of this discussion may be closed in accordance with NRS 241.030.)

A.* Motion to close session to review the license denial appeal of **KENT PRESTON, FILE NO. S-LDA-11-007**, and why applicant should or should not be granted a license.

B. Discussion in closed session.

C.*Discussion and possible action in open session.

7. *EDUCATION FOR POSSIBLE ACTION: Commission may take the following actions:

1. Approve, disapprove any of the following courses for the amount of hours requested or recommended or any amount they deem appropriate; and
2. Change designation of any of the courses.

***NEW REAL ESTATE CONTINUING EDUCATION COURSES FOR POSSIBLE ACTIONS:**

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|-----|---|--------------------------|-------------------|----------------|
| 1. | Real Estate Division
"Trust Accounting Management and Compliance" | Request: 3 Hours | Broker Management | Classroom |
| 2. | Career Web School
"RESPA Reform" | Request: 3 Hours | General | Internet |
| 3. | Career Web School
"Income Capitalization Overview" | Request: 6 Hours | General | Internet |
| 4. | Career Web School
"Sales Comparison Approach" | Request: 6 Hours | General | Internet |
| 5. | Career Web School
"Cost Approach Overview" | Request: 6 Hours | General | Internet |
| 6. | The CE Shop, Inc.
"BPO's: The Agent's Role in the Valuation Process" | Request: 8 Hours | General | Internet |
| 7. | The CE Shop, Inc.
"E-Pro Certification Program: Day 1" | Request: 8 Hours | General | Internet |
| 8. | The CE Shop, Inc.
"E-Pro Certification Program: Day 2" | Request: 8 Hours | General | Internet |
| 9. | The CE Shop, Inc.
"Seniors Real Estate Specialist (SRES) Designation Course" | Request: 16 Hours | General | Internet |
| 10. | ABC School of Real Estate
"Nevada Legislative Update 2011" | Request: 6 Hours | Law & Legislation | Correspondence |
| 11. | ABC School of Real Estate
"Nevada Legislative Update 2011" | Request: 6 Hours | Law & Legislation | Internet |

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| 12. | ABC School of Real Estate
"Practical Applications: Property Management Update II" | Request: 3 Hours | Property Management | Internet |
| 13. | ABC School of Real Estate
"Practical Applications: Business Brokerage III" | Request: 3 Hours | Business Broker | Internet |
| 14. | Western Title Company
"Everything You Need to Know About Title" | Request: 3 Hours | General | Classroom |
| 15. | Western Title Company
"Everything You Need to Know About Escrow" | Request: 3 Hours | General | Classroom |
| 16. | Still Training, LLC
"Certified Commercial Advisor" | Request: 16 Hours | General | Classroom |
| 17. | Still Training, LLC
"Real Estate Investment Analyst/Course 1" | Request: 12 Hours | General | Classroom |
| 18. | Still Training, LLC
"Certified Professional Negotiator" | Request: 6 Hours | General | Classroom |
| 19. | Reno/Sparks Association of REALTORS®
"Agency in Nevada; What Every Practitioner Should Know" | Request: 4 Hours | Agency | Classroom |
| 20. | Reno/Sparks Association of REALTORS®
"What's Your EQ (Ethical Quotient)?" | Request: 3 Hours | Ethics | Classroom |
| 21. | Reno/Sparks Association of REALTORS®
"Dealing with the Distressed Property Reality" | Request: 4 Hours | General | Classroom |
| 22. | McKissock, LP
"1031 Exchanges – Increase Your Expertise" | Request: 3 Hours | General | Internet |
| 23. | McKissock, LP
"Closing Procedures and Settlement Costs" | Request: 6 Hours | General | Internet |

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| 24. | McKissock, LP
"Live Webinar: Current Issues in Fair Housing" | Request: 3 Hours | Ethics | Internet |
| 25. | Lee K. Barrett
"Legislative Realtor Update 2011" | Request: 4 Hours | Law & Legislation | Classroom |
| 26. | Lee K. Barrett
"Risk Management for Brokers" | Request: 4 Hours | Broker Management | Classroom |
| 27. | Key Realty School LLC
"Nevada Legal Update 4" | Request: 3 Hours | Law & Legislation | Correspondence |
| 28. | Realty One Group
"HAFA and Traditional Short Sales" | Request: 3 Hours | General | Classroom |
| 29. | Greater Las Vegas Association of Realtors®
"Risk Management Update 2011" | Request: 3 Hours | Contracts | Classroom |
| 30. | Nevada Association of Realtors®
"Nevada Contracts: Recipe for Success" | Request: 4 Hours | Contracts | Classroom |

CHANGE OF HOURS REQUEST

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|-----|--|-------------------------|--------|----------|
| 31. | McKissock, LP.
"Agency Law in Nevada" | Request: 3 Hours | Agency | Internet |
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9. *ADJOURNMENT

THIS NOTICE AND AGENDA HAS BEEN POSTED ON OR BEFORE 9:00 A.M. ON THE THIRD WORKING DAY BEFORE THE MEETING AT THE FOLLOWING LOCATIONS:

NV Real Estate Division
1179 Fairview Drive, Suite E
Carson City, NV 89701-5453

NV Real Estate Division
2501 E. Sahara Avenue, #102
Las Vegas, NV 89104-4137

NV Association of REALTORS
760 Margrave Drive, Ste. 200
Reno, NV 89510

Sierra Nevada Association of REALTORS
300 South Curry St., #3
Carson City, NV 89703

Elko Board of REALTORS
355 5th Street
Elko, NV 89801

Greater Las Vegas
Association of REALTORS
1750 East Sahara Avenue
Las Vegas, NV 89104

Reno/Sparks Association
of REALTORS
5650 Riggins Court
Reno, NV 89502

Incline Village Board
of REALTORS
924 Incline Way, Suite 1
Incline Village, NV 89452

Nevada State Library
100 Stewart Street
Carson City, NV 89710

Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, NV 89101

Desert Mountain Realty
1060 Avenue F
Ely, NV 89301

Isom Realty & Insurance
P. O. Box 670
420 Third Street
Hawthorne, NV 89415

Century 21/Sonoma Realty
335 West 4th. Street
Winnemucca, NV 89445

Battle Mountain Realty
P. O. Box 1150
142 S. Reese Street
Battle Mountain, NV 89820

Action Realty
3340 S. Highway 60 Ste 201
Pahrump, NV 89048.

State of Nevada
Dept. of Business & Industry
State Real Estate Division
INTERNET PAGE:
<http://www.red.state.nv.us>

POSTED NOV. 8, 2011