



DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION

www.red.state.nv.us

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

FEBRUARY 14 – 16, 2012
1ST AMENDED

The Nevada Real Estate Commission will conduct a meeting beginning **TUESDAY, FEBRUARY 14, 2012**, beginning at 8:30 a.m. and each day thereafter at 8:30 a.m. through **THURSDAY, FEBRUARY 16, 2012**, or until the Commission concludes its business at the following locations:

FEBRUARY 14, 2012

Grant Sawyer Building
Gaming Control Board
555 E. Washington Ave.
Room 2450
Las Vegas, NV 89101

VIDEO CONFERENCE TO:

Gaming Control Board
1919 College Parkway
Carson City, NV 89706

FEBRUARY 15, 2012

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

FEBRUARY 16, 2012

Grant Sawyer Building
Gaming Control Board
555 E. Washington Ave.
Room 2450
Las Vegas, NV 89101

VIDEO CONFERENCE TO:

Gaming Control Board
1919 College Parkway
Carson City, NV 89706

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) Introduction of Commissioners in Attendance.
- B) 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 a summary of recent topics of complaints filed.
- D)*Discussion and possible action to approve minutes of the November 15-17, 2011 meeting.
- E) Discussion regarding Administrator’s report on:
 - 1. Impact of unlicensed individuals preparing and submitting paperwork for brokers in Licensing Section processing;
 - 2. Property Management activity survey;
 - 3. Anticipated roll out of Division’s trust account continuing education course funded by the Education and Research Fund; and
 - 4. Personnel
- F)*Discussion and possible action regarding proposed regulatory changes to NAC 645, including but not limited to R157-08, R003-10 and R093-10.
- G)*Discussion and possible action regarding approval of subject areas for Instructor/Course development training 2012 funded by the Education and Research Fund pursuant to NRS 645.842.
- H) Discussion concerning the Continuing Education Audit Report.
- I)*Discussion and possible action regarding Respondent’s petition to reconsider Commission’s Order.
 - 1. NRED v. Eric Lynn
Case No. RES 10-08-05-032
Effective date of Order: July 2, 2010.
License No.: B.0058385 & PM.0158385 – Both voluntarily surrendered October 20, 2009

- J) Discussion regarding report from Auction Work Group.
- K)*Discussion and possible action on date, time, place & agenda items for upcoming meetings.
- L) Commissioner Comments.

4. * ADOPTION HEARING FOR POSSIBLE ACTION:

A) 02/16/12 @ 8:30 a.m. REGULATION ADOPTION HEARING FOR LCB FILE No. R093-10:

Adoption Hearing conducted 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. Richard Brenkus for possible action

Case No. RES 10-12-20-155
License No. BS.0016186.....Active

2. NRED v. Teri Brenkus for possible action

Case No. RES 10-02-23-211
License Nos. B.0023077.LLC (Active), B.0123077.INDV (Active) & PM.0164319.BKR (Active)

3. NRED v. Danya Gresham for possible action

Case No. RES 10-02-24-212
License No. S.0073948 (Active)

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

Case No. RES 10-12-14-149
License Nos. PM.0163132 (Closed), S.0039271 (Closed) & BS.0039271 (Inactive)

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

Case No. RES 10-09-03-058
License Nos. PM.0163132 (Closed), S.0039271 (Closed) & BS.0039271 (Inactive)

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

Case No. RES 10-10-02-079
License Nos. PM.0163132 (Closed), S.0039271 (Closed) & BS.0039271 (Inactive)

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

Case No. RES 09-08-21-063
License Nos. PM.0163132 (Closed), S.0039271 (Closed) & BS.0039271 (Inactive)

8. NRED v. Francisco De La Chesnaye for possible action

Case No. RES 07-06-32-445
License No. S.0062033 (Closed)

- 9. NRED v. Estrella Dela Cruz for possible action**
Case No. RES 12-10-08-104
License No. S.0168436 (Inactive)
- 10. NRED v. Judy Gabriel for possible action**
Case No. RES 11-05-32-409
License No. Unlicensed
- 11. NRED v. Diane Wild for possible action**
Case No. RES 11-05-31-408
License Nos. CAM.0000164 (Closed), CAM.0000164-SUPR (Active) & RSS.0000046 (Active)
- 12. NRED v. Gisela Galvan for possible action**
Case No. RES 09-11-53-201
License No. S.0032250 (Active)
- 13. NRED v. David Green for possible action**
Case No. RES 11-08-08-049
License Nos. PM.0162627.BKR (Active) and B.0001051.LLC (Active)
- 14. NRED v. David Green for possible action**
Case No. RES 10-04-21-273
License Nos. PM.0162627.BKR (Active) and B.0001051.LLC (Active)
- 15. NRED v. Andrew Larson for possible action**
Case No. RES 09-10-10-122
License Nos. B.0019735.INDV (Active), BUSB.0000390 (Active) & S.0046396 (Closed)
- 16. NRED v. Curtis McCall for possible action**
Case No. RES 08-11-12-143
License No. S.0073886 (Closed)
- 17. NRED v. Steven Nohrden for possible action**
Case No. RES 12-08-05-030
License No. S.0075590.LLC
- 18. NRED v. Steven Nohrden for possible action**
Case No. RES 12-09-07-077
License No. S.0075590.LLC
- 19. NRED v. Blanca Paredes for possible action**
Case No. RES 11-06-22-437
License No. Unlicensed
- 20. NRED v. German Posada for possible action**
Case No. RES 12-08-04-028
License No. S.0037593 (Active)

21. **NRED v. Benedict Prasad for possible action**
Case No. RES 10-09-19-074
License Nos. B.0027625.INDV (Revoked), BS.0027625 (Revoked), PM.0127625 (Revoked) and S.0027625 (Closed)
22. **NRED v. Judi Y. Rock for possible action**
Case No. RES 10-02-16-204
License No. S.0029350 (Active)
23. **NRED v. Jeannie Sutherland for possible action**
Case No. RES 12-02-07-239
License No. S.0022419 (Suspended)
24. **NRED v. Robin Willett for possible action**
Case No. RES 09-04-13-318
License No. S.0069662 (Active)
25. **NRED v. Robin Willett for possible action**
Case No. RES 10-09-10-065
License No. S.0069662 (Active)
26. **NRED v. Robin Willett for possible action**
Case No. RES 09-07-39-039
License No. S.0069662 (Active)
27. **NRED v. Daunshari Wong-Culotta for possible action**
Case No. RES 11-07-05-005
License Nos. B.0015620.CORP (Invalidated) & S.0015620 (Suspended)

6. ***APPEAL OF INSTRUCTOR DENIAL**

1. (Note: Portions of this discussion may be closed in accordance with NRS 241.030.)
 - A. *Motion to close session to consider the character and professional competence of **MITCHELL FULFER** as an instructor for the following courses:
 - Representing the HUD Buyer – A Guide to Selling HUD Homes (CE.4047000-RE)
 - Agency Relationships: And Its Urgency (CE.3463000-RE)
 - Talk About Ethics (CE.3632000-RE)
 - Complete the Listing Contract (CE.5014000-RE)
 - Writing and Presenting the Offer to Purchase (CE.5015000-RE)
 - Advanced Analysis of the Residential Purchase Agreement (CE.3633000-RE)
 - Communicate, Negotiate and Resolve Conflict Effectively (CE.3534000-RE)
 - Core Broker Management – Skills in the Real World (CE.3533000-RE)
 - Foreclosures, Short Sales, REO's and Auctions (CE.3970001-RE)
 - 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:**

DISCUSSION AGENDA EDUCATION COURSES

NEW REAL ESTATE PRE- LICENSING EDUCATION COURSES

1. A+ Nevada Real Estate School
 “Broker Management”
Request: 45 Hours Correspondence
2. A+ Nevada Real Estate School
 “Nevada Real Estate Law”
Request: 18 Hours Correspondence

NEW REAL ESTATE CONTINUING EDUCATION COURSES

3. The CE Shop, Inc.
 “BPO’s: The Agent’s Role in the Valuation Process”
Request: 8 Hours General Internet

CONSENT AGENDA EDUCATION COURSES

4. The CE Shop, Inc.
 “Nevada 2011 Legislative Update”
Request: 3 Hours Law & Legislation Internet
5. National Business Institute, Inc.
 “Foreclosure Mediation Practice in Nevada”
Request: 7 Hours Law & Legislation Classroom
6. Steven Kitnick Seminars, LLC
 “Commission Hearings: Case Studies III”
Request: 3 Hours Broker Management & Ethics Classroom
7. The CE Shop, Inc.
 “Online Risk Management”
Request: 3 Hours Ethics Internet
8. McKissock, LP
 “Code of Ethics”
Request: 3 Hours General Internet
9. McKissock, LP
 “Getting Started with Property Management”
Request: 6 Hours General Internet

10.	Lorman Education Services "Basic Commercial Leases"	Request: 7 Hours	General	Classroom
11.	RMCS, Inc. "Social Media for Real Estate"	Request: 3 Hours	General	Classroom
12.	Rosen, Jay C. "Procuring Cause: A Cause Worth Fighting For!"	Request: 4 Hours	Law & Legislation	Classroom
13.	Cook & Company, Ltd. "Nonviolent Property Management: Communication Skills for Property Managers"	Request: 3 Hours	Property Management	Classroom
14.	Steven Kitnick Seminars, LLC "Advance Fees"	Request: 3 Hours	Law & Legislation	Classroom
15.	Steven Kitnick Seminars, LLC "Deficiency Judgments"	Request: 3 Hours	Law & Legislation	Classroom
16.	CCIM Institute "Preparing to Negotiate (Online)"	Request: 6 Hours	General	Internet
17.	CCIM Institute "CI 101: Financial Analysis"	Request: 34 Hours	General	Internet
18.	McKissock, LP "Closing Procedures and Settlement Costs (Updated)"	Request: 4 Hours	General	Internet
19.	McKissock, LP "Nevada Risk Management for Brokers"	Request: 3 Hours	Broker Management	Internet
20.	Steven Kitnick Seminars, LLC "Who Can Negotiate Short Sales?"	Request: 3 Hours	Contracts	Classroom
21.	Laughlin, Michael "Mortgage Finance and Today's Laws"	Request: 3 Hours	General	Classroom
22.	Randall Van Reken Seminars "2011 NRS Update"	Request: 3 Hours	Law & Legislation	Correspondence

23.	Guild Mortgage “Mortgage 101 – Understanding the Full Pre-Approval Process”			
	Request:	3 Hours	General	Classroom
24.	Guild Mortgage “Core Systems – Generate 50 Leads Per Month”			
	Request:	3 Hours	Personal Development	Classroom
25.	Ben C. Scheible Seminars “Case Studies in Agency”			
	Request:	3 Hours	Agency	Classroom
26.	Ben C. Scheible Seminars “The O&A Says What?”			
	Request:	3 Hours	Contracts	Classroom
27.	Ben C. Scheible Seminars “Ethics and the Law”			
	Request:	3 Hours	Ethics	Classroom
28.	Greater Las Vegas Association of REALTORS® “Rebooting Your Real Estate Mojo”			
	Request:	3 Hours	Personal Development	Classroom
29.	Greater Las Vegas Association of REALTORS® “Marketing 2.0”			
	Request:	3 Hours	Personal Development	Classroom
30.	Kraus, Paul R. “Financing HUD Properties”			
	Request:	3 Hours	General	Classroom
31.	Kraus, Paul R. “Selling and Closing HUD Properties”			
	Request:	3 Hours	General	Classroom
32.	Marquardt, Holly A. “How to Complete a HUD Sales Contract Package”			
	Request:	3 Hours	Contracts	Classroom
33.	OnlineEd, Inc. “Silver State Legislative Update - 2011”			
	Request:	3 Hours	Law & Legislation	Internet
34.	Nevada Association of REALTORS® “GRI III – The Contract Class”			
	Request:	15 Hours	Contracts	Classroom
35.	Nevada Association of REALTORS® “GRI IV – Essential Legal Issues”			
	Request:	8 Hours	Ethics	Classroom

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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

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: FEB. 9, 2012