



DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION

www.red.state.nv.us

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

JANUARY 7-9, 2015

The Nevada Real Estate Commission will conduct a meeting beginning WEDNESDAY, JANUARY, 7, 2015, beginning at 9:00 AM and each day thereafter at 9:00 AM through FRIDAY, JANUARY 9, 2015, **or until the Commission concludes its business** at the following locations:

JANUARY 7, 2015 – 9:00 AM

Henderson City Hall
Council Chambers Conference Room
240 Water Street
Henderson, Nevada 89015

JANUARY 8, 2015 – 9:00 AM

Henderson City Hall
Council Chambers Conference Room
240 Water Street
Henderson, Nevada 89015

JANUARY 9, 2015 – 9:00 AM

Bradley Building
2501 East Sahara Avenue
2nd Floor Conference Room
Las Vegas, Nevada 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 Rebecca Hardin at (702) 486-4074, 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 Commission may refuse to consider public comment. See NRS 233B.126.

1. COMMISSION/DIVISION BUSINESS

- A) Call to Order; Introduction of Commissioners in Attendance; and Establish Quorum.
- B) Introduction of Division Staff in Attendance.
- C) Swearing in of Commissioner Devin Reiss.

2. PUBLIC COMMENT

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 UNTIL AFTER THAT MATTER IS HEARD. 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 regarding the Administrative Sanction Report.
- E) Discussion regarding Administrator's report on:
 - 1. Reorganization of the Division;
 - 2. Vacant positions;
 - 3. Changes to processes;
 - 4. Division policy when a broker fails to submit mid-term continuing education pursuant to NAC 645.448;
 - 5. Constituent services; and
 - 6. Proposal for the Division to become self-funded and other legislative updates.
- F) FOR POSSIBLE ACTION: Discussion and decision regarding Education and Information Manager's request to approve the objectives for the Instructor Development Training 2015 funded by the Education and Research Fund pursuant to NRS 645.842.
- G) Discussion regarding Education Program Officer's report on:
 - 1. Continuing education course audit program report;
 - 2. Continuing education certificate issues and midterm education record-keeping;
 - 3. Continuing education and post education roster upload submittals issues.
- H) Discussion regarding continuing education credits to approved instructors for renewal of an instructor's real estate license.
- I) Discussion regarding commercial real estate designation and education.
- J) Discussion regarding the use of the Duties Owed by a Nevada Real Estate Licensee form when showing rental property.
- K) Discussion regarding out-of-state cooperative certificates and changes to NAC 645.180.
- L) Discussion regarding procedures for obtaining and granting continuance pursuant to NAC 645.830.

- M) Discussion regarding changes to NAC 645.463 restricting a course for continuing education credit from being taken more than once during any two consecutive periods for renewal of a license.
- N) Discussion regarding complaints filed confidentially with the Division.
- O) FOR POSSIBLE ACTION: Discussion and possible action on Post Licensing Work Group recommendations regarding NAC 645.4442.
- P) FOR POSSIBLE ACTION: Discussion and decision regarding changes to NAC 645.450 and NAC 645.455 giving the Division authority to approve course for continuing education on behalf of the Commission.
- Q) FOR POSSIBLE ACTION: Discussion to approve minutes of the October 14-15, 2014 meeting.
- R) FOR POSSIBLE ACTION: Discussion on date, time, place & agenda items for upcoming meetings.
- S) Commissioner Comments.

4. FOR POSSIBLE ACTION: APPEAL OF INSTRUCTOR DENIAL FOR DECISION

1. MICHELLE MCFALL for possible action

- **Real Estate Nevada Law (PL.4502022-RE)**
- **Real Estate Nevada Law (PL.1800031-RE)**
- **Real Estate Nevada Law (PL.1800032-RE)**
- **Real Estate Principles, Practices and Law (PL.9000036-RE)**
- **Real Estate Principles, Practices and Law (PL.9000037-RE)**
- **Contracts (POST.01005-RE)**
- **Listing Process, Market Analysis and Inspections (POST.02004-RE)**
- **Agency Relationships (POST.08002-RE)**
- **Regulatory Disclosure, Federal, State and Local (POST.10003-RE)**
- **Advertising / Proceeds of Sale Costs, and Cost Sheets / Tax Opportunities (POST.17019-RE)**
- **Land / Negotiations / Property Management and CICA Management (POST.17020-RE)**
- **Communications, Technology & Records Mgt / Professional Conduct, Etiquette and Ethics (POST.17021-RE)**
- **Buyer Representation / Escrow, Title and Closing Process / Financing (POST.17022-RE)**
- **The Foreclosure Process and REO Properties (CE.5019002-RE)**
- **Agency Relationships Through Nevada Law (CE.5021002-RE)**
- **Short Sale and The Listing Agent (CE.5022002-RE)**
- **Ethics and The Real Estate Agent (CE.5053002-RE)**
- **Creating an Internet Presence (CE.5054002-RE)**
- **Writing an Acceptable Offer (CE.5056002-RE)**
- **The Beginning Broker (CE.5057002-RE)**
- **Property Management: An Overview (CE.505002-RE)**
- **Your 2013 Nevada Legislative Update (CE.5675001-RE)**

Note: Pursuant to NRS 241.030(1), The Nevada Real Estate Commission may conduct a closed meeting to consider the character, allegations of misconduct, professional competence, or physical and mental health of a person.”

- 1) Discussion in closed session.
- 2) Discussion and possible action in open session.

5. FOR POSSIBLE ACTION: LICENSE DENIAL APPEAL FOR DECISION

1. **JOSUE TORRES** for possible action
FILE No. S-LDA-14-005

Note: Pursuant to NRS 241.030(1), The Nevada Real Estate Commission may conduct a closed meeting to consider the character, allegations of misconduct, professional competence, or physical and mental health of a person.”

- 1) Discussion in closed session.
- 2) Discussion and possible action in open session.

6. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING RESPONDENT’S PETITION FOR REHEARING.

1. **NRED v. Alison Cardwell, for possible action**
Case No.: RES 14-09-12-089
License No. S.0056822 (INACTIVE)

7. FOR POSSIBLE ACTION: DISCUSSION AND DECISION CONCERNING REAL ESTATE ADVISORY REVIEW COMMITTEE APPLICATION:

1. David Afromsky, BS.0022519
2. Ron McMenemy, B.0018127.CORP
3. Frank Nason, B.0033121.CORP
4. James H. Simmons, BS.0060695.LLC

8. FOR POSSIBLE ACTION: DISCIPLINARY ACTION

1. **NRED v Steven Aboulafia** for possible action
Case # RES 14-02-44-515
License No.: S.0040153 (ACTIVE)
2. **NRED v Linda M. Akiki** for possible action
Case # RES 14-02-116-587
License No’s.: B.1000344.INDV (ACTIVE); B.0054926.LLC (INACTIVE);
PM.0163803.BKR (INACTIVE)
3. **NRED v Linda M. Akiki** for possible action
Case # RES 14-03-132-752
License No’s.: B.1000344.INDV (ACTIVE); B.0054926.LLC (INACTIVE);
PM.0163803.BKR (INACTIVE)
4. **NRED v Linda M. Akiki** for possible action
Case # RES 14-04-138-920
License No’s.: B.1000344.INDV (ACTIVE); B.0054926.LLC (INACTIVE);
PM.0163803.BKR (INACTIVE)
5. **NRED v Linda M. Akiki** for possible action
Case #’s RES 14-06-02-1162 and RES 14-05-67-1047
License No’s.: B.1000344.INDV (ACTIVE); B.0054926.LLC (INACTIVE);
PM.0163803.BKR (INACTIVE)

6. NRED v **Linda M. Akiki** for possible action
Case # RES 14-08-06-046
License No's.: B.1000344.INDV (ACTIVE); B.0054926.LLC (INACTIVE);
PM.0163803.BKR (INACTIVE)
7. NRED v **Hilarion G. Cordero, Jr.** for possible action
Case # RES 13-06-20-359
License No.: B.0016062.INDV (ACTIVE)
8. NRED v **Ronald C. Filipovic**
Case # RES 14-02-148-619
License No.: S.0166878 (INACTIVE)
9. NRED v **Demetria Kalfas-Gordon** for possible action
Case # RES 13-04-01-289
License No.: S.0051521.PC (ACTIVE); PM.0163959 (ACTIVE)
10. NRED v **Jason Allen Lococo** for possible action
Case # 2014-3324
License No.: S.0170529 (ACTIVE)
11. NRED v **Paul Murad** for possible action
Case # RES 13-04-17-305
License Nos.: B.0057454.LLC (ACTIVE); PM.0163450.BRK (ACTIVE)
12. NRED v **Ima Jean Nikolich** for possible action
Case # RES 13-07-18-018
License No.: B.0013331.INDV (REVOKED)
13. NRED v **Ima Jean Nikolich** for possible action
Case # RES 13-08-32-066
License No.: B.0013331.INDV (REVOKED)
14. NRED v **Steven P. O'Brien** for possible action
Case # REN 14-05-02-042
License No.: B.1000912.LLC (ACTIVE)
15. NRED v **Michael A. Panciro** for possible action
Case # RES 14-11-39-185
License No.: B.0052607.LLC (ACTIVE)
16. NRED v **Christopher Rodriguez** for possible action
Case # RES 13-03-38-286
License No.: Unlicensed Activity
17. NRED v **Cristina Rodriguez** for possible action
Case # RES 14-10-01-115
License No.: S.0070042 (INACTIVE)
18. NRED v **Brian Thomas Warren** for possible action
Case # RES 12-05-39-363
License No.: S.0078381.PC (ACTIVE); PM.00164174 (ACTIVE)
19. NRED v **Richard A. Willer** for possible action
Case # RES 13-01-28-225
License No.: S.0035047 (INACTIVE)

9. FOR POSSIBLE ACTION: EDUCATION: 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.

DISCUSSION AGENDA EDUCATION COURSES

NEW REAL ESTATE PRE- LICENSING EDUCATION COURSES

1. ABC Real Estate School
"Real Estate Appraisal"
Request: 45 Hours Internet

NEW REAL ESTATE POST- LICENSING EDUCATION COURSES

2. Pioneer School of Real Estate
"30-Hr Post-Licensing Course"
Request: 30 Hours Classroom

NEW REAL ESTATE CONTINUING EDUCATION COURSES

3. Key Realty School, LLC
"Review of Business Brokerage"
Request: 3 Hours Business Broker Correspondence
4. Council of Residential Specialists
"Converting Leads Into Closing CRS 120"
Request: 8 Hours General Classroom
5. Council of Residential Specialists
"Win-Win Negotiation Techniques CRS 121"
Request: 8 Hours General Classroom
6. Council of Residential Specialists
"Building a Team to Grow Your Business CRS 122"
Request: 8 Hours General Classroom
7. Black & LoBello
"Property Transfers, Estate Planning: Asset Protection for Real Estate Professionals"
Request: 3 Hours Personal Development Classroom
8. Black & LoBello
"Nevada Foreclosure Considerations for Real Estate Licensees"
Request: 3 Hours General Classroom
9. Black & LoBello
"Credit Insights for the Post-Recession Realtor"
Request: 3 Hours General Classroom
10. Black & LoBello
"Ethical Concerns for Real Estate Licensees with an Emphasis on Community Property Issues"
Request: 3 Hours Ethics Classroom
11. Black & LoBello
"Contracting and The Closing Process"
Request: 3 Hours Contracts Classroom

12. Dague, Jimmy
 “Negotiating – Techniques, Tactics, Gambits and Counter Gambits”
Request: 3 Hours General Classroom
13. Dague, Jimmy
 “Selling New Homes vs. Resales”
Request: 3 Hours General Classroom
14. Dague, Jimmy
 “Top Six Technology Platforms to Better Serve Your Clients”
Request: 3 Hours General Classroom
15. Schwartz, Neil
 “Do You Really Understand Your Duties Owed”
Request: 3 Hours Agency Classroom
16. Schwartz, Neil
 “The Buyer Brokerage Agreement...Getting It Signed”
Request: 3 Hours Contracts Classroom
17. Schwartz, Neil
 “Do Ethics and Professionalism Still Mean Something”
Request: 3 Hours Ethics Classroom
18. First Centennial Title
 “What Are Fiduciary Duties?”
Request: 3 Hours Agency Classroom
19. First Centennial Title
 “Real Estate Commission Hearings Class 3”
Request: 3 Hours Ethics Classroom
20. First Centennial Title
 “Real Estate Commission Hearings Class 3”
Request: 3 Hours Broker Management Classroom
21. First Centennial Title
 “Contract + Blunders and How to Avoid Them”
Request: 3 Hours Contracts Classroom
22. First Centennial Title
 “Buyers Expect What?”
Request: 3 Hours Agency Classroom
23. Cook & Company, Ltd.
 “Maintenance Tips & Tricks for the Residential Property Manager”
Request: 3 Hours Property Management Classroom
24. Cook & Company, Ltd.
 “How to Avoid the \$1,000 Fine, and more...Trust Accounting in Nevada”
Request: 3 Hours Property Management Classroom
25. Cook & Company, Ltd.
 “How to Avoid the \$1,000 Fine, and more...Trust Accounting in Nevada”
Request: 3 Hours Broker Management Classroom

26. Myer, Kandas
 “Dual Agency (Multiple Representation) What’s the Fuss?”
Request: 3 Hours Agency Classroom
27. Myer, Kandas
 “The Buyer’s Broker Agreement”
Request: 3 Hours Contracts Classroom
28. Myer, Kandas
 “Posing for the Centerfold...Division Disciplinary Action”
Request: 3 Hours Ethics Classroom
29. Kaplan Professional Schools
 “Understanding 1031 Tax-Free Exchanges v2.5”
Request: 3 Hours General Internet
30. Kaplan Professional Schools
 “Virtual Brokerage: How to Do It v1.0”
Request: 3 Hours General Internet
31. USA Homeownership Foundation, Inc. DBA VAREP
 “Military and Veterans Housing Certification (MVHC)”
Request: 8 Hours General Classroom
32. USA Homeownership Foundation, Inc. DBA VAREP
 “Military and Veterans Housing Certification (MVHC)”
Request: 8 Hours General Internet
33. The CE Shop, Inc.
 “Did You Serve? Identifying Home Buying Advantages for Veterans”
Request: 3 Hours General Internet
34. The CE Shop, Inc.
 “Military Relocation Professional (MRP)”
Request: 7 Hours General Internet
35. Reno/Sparks Association of REALTORS®
 “Understanding the Property Management and Residential Lease Agreements”
Request: 3 Hours Contracts Classroom
36. Reno/Sparks Association of REALTORS®
 “Ethics, Short Sales, REO and Advertising”
Request: 3 Hours Ethics Classroom
37. Reno/Sparks Association of REALTORS®
 “Contracts – More Than Just Paper”
Request: 3 Hours Contracts Classroom
38. McKissock, LLC
 “How is the Legalization of Marijuana Affecting the Real Estate Market”
Request: 3 Hours General Internet
39. McKissock, LLC
 “It’s High Tide you Got the Facts about Homeowner’s Flood Insurance”
Request: 3 Hours General Internet

40. Mevorah, Jason
 “Mevorah’s Mortgage Montage”
Request: 3 Hours General Classroom
41. New Direction IRA, Inc.
 “Broker’s Guide to Real Estate Purchase for IRAs and 401k Plans”
Request: 3 Hours General Classroom
42. Lied Institute for Real Estate Studies, UNLV
 “Forecast 2015 – Southern Nevada’s Commercial Market Landscape: Now and Beyond”
Request: 3 Hours General Classroom
43. RESE Property Management
 “Embracing our Code of Ethics”
Request: 3 Hours Ethics Classroom
44. Sterling Education Services, Inc.
 “Landlord-Tenant Law: how to Prosper in the New Market”
Request: 7 Hours General Classroom
45. Advantage Credit, Inc.
 “Increase Buying Power – Understand Credit Scores”
Request: 3 Hours General Classroom
46. Rheinberger, Linda
 “Property Management Trust Accounting and Record Keeping”
Request: 3 Hours Broker Management Classroom
47. Rheinberger, Linda
 “Property Management Trust Accounting and Record Keeping”
Request: 3 Hours Property Management Classroom
48. Steven Kitnick Seminars, LLC
 “Buyer Agency in New Home Sales”
Request: 3 Hours Agency Classroom
49. Steven Kitnick Seminars, LLC
 “Closing Costs in 10 Minutes or Less!”
Request: 3 Hours General Classroom
50. Steven Kitnick Seminars, LLC
 “Avoiding Earnest Money Deposits Disputes”
Request: 3 Hours Contracts Classroom
51. Steven Kitnick Seminars, LLC
 “FIRPTA: Foreign Sellers & Uncle Sam”
Request: 3 Hours General Classroom
52. Barrett Seminars
 “You and Me and the Law Makes Three”
Request: 3 Hours Contracts Classroom

FOR DISCUSSION AND POSSIBLE ACTION

53. Barrett Seminars
 “Home 4 Work”
Request: 3 Hours General Classroom

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|---|---------|---------------------|-----------|
| 54. Barrett Seminars | | | |
| "Client Safety – Keeping Your Client (and You) Safe" | | | |
| Request: | 3 Hours | General | Classroom |
| 55. Steven Kitnick Seminars, LLC | | | |
| "Trust Fund Accounting & Record Keeping for Nevada Brokers" | | | |
| Request: | 3 Hours | Broker Management | Classroom |
| 56. Steven Kitnick Seminars, LLC | | | |
| "Trust Fund Accounting & Record Keeping for Nevada Brokers" | | | |
| Request: | 3 Hours | Property Management | Classroom |

10. 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 UNTIL AFTER THAT MATTER IS HEARD. 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.***

11. FOR POSSIBLE ACTION: 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:

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

Nevada Association of REALTORS
760 Margrave Drive, Suite. 200
Reno, Nevada 89510

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

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

Desert Mountain Realty
1060 Avenue F
Ely, Nevada 89301

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

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

Nevada State Library
100 Stewart Street
Carson City, Nevada 89710

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

Realty 500 Reiss Corporation
4485 South Pecos Road
Las Vegas, Nevada 89121

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

Reno/Sparks Association of REALTORS
5650 Riggins Court, Suite 200
Reno, Nevada 89502

Incline Village Board of Realtors
924 Incline Way, Suite 1
Incline Village, Nevada 89451

Sierra Nevada Association of REALTORS
300 South Curry Street, #3
Carson City, Nevada 89703

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

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

CONTACT FOR SUPPORTING MATERIALS FOR LISTED AGENDA ITEMS:

REBECCA HARDIN
Commission Coordinator
Nevada Real Estate Division
2501 E. Sahara Avenue, Suite 303
Las Vegas, Nevada 89104
Phone: 702-486-4074
Email: rhardin@red.state.nv.us