

FILED

DEC 02 2014

BEFORE THE REAL ESTATE COMMISSION  
STATE OF NEVADA

REAL ESTATE COMMISSION

JOSEPH R. DECKER, Administrator,  
REAL ESTATE DIVISION, DEPARTMENT  
OF BUSINESS & INDUSTRY,  
STATE OF NEVADA,

Case No. REN 15-08-08-013

Petitioner,

vs.

COMPLAINT AND NOTICE OF HEARING

KATRINA KARASAWA,

Respondent.

The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA ("DIVISION"), by and through its counsel, Catherine Cortez Masto, Attorney General of the State of Nevada, and Keith E. Kizer, Deputy Attorney General, hereby notifies RESPONDENT KATRINA KARASAWA ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION ("COMMISSION") which hearing will be held pursuant to Chapters 233B and Chapter 645 of the Nevada Revised Statutes ("NRS") and Chapter 645 of the Nevada Administrative Code ("NAC"). The purpose of the hearing is to consider the allegations stated below and to determine if the RESPONDENT should be subject to an administrative penalty as set forth in NRS 645.633 and/or NRS 645.630 and/or NRS 622.400, and the discipline to be imposed, if violations of law are proven.

JURISDICTION

RESPONDENT KATRINA KARASAWA was at all relevant times mentioned in this Complaint licensed as a real estate salesperson under license number S.0171551, and is therefore subject to the jurisdiction of the Division and the provisions of NRS chapter 645 and NAC chapter 645.

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1 **FACTUAL ALLEGATIONS**

2 **GENERAL FACTUAL ALLEGATIONS**

3 1. RESPONDENT, at the relevant times mentioned in this Complaint, has been  
4 licensed as a real estate salesperson, license number S.0171551, since March 30, 2012, and  
5 is currently in active status and subject to the jurisdiction of the Division and the provisions of  
6 NRS chapter 645 and NAC chapter 645.

7 2. RESPONDENT was associated with Marshall Realty at the relevant times  
8 mentioned in this Complaint.

9 3. Marshall Carrasco ("Carrasco") has been licensed as a real estate broker,  
10 license number B.1000579.INDV, since January 27, 2010, and is the broker for Marshall  
11 Realty.

12 4. With respect to properties Marshall Realty was contracted to sell,  
13 RESPONDENT facilitated potential buyers in return for the buyers using Marshall Realty and  
14 RESPONDENT in their attempts to buy those properties.

15 5. RESPONDENT's actions resulted in many dual or triple agencies for Marshall  
16 Realty.

17 **RESERVOIR STREET**

18 6. On or about January 4, 2013, Kenneth Bell ("Bell") entered into an Exclusive  
19 Right to Sell Contract, which engaged Marshall Realty to list and sell real property located at  
20 8720 Reservoir Street, Reno, Nevada (the "Reservoir Street Property") for a list price of  
21 \$62,500.

22 7. Marshall Realty had Bell sign a Multiple Listing Service ("MLS") waiver.

23 8. Carrasco was Bell's agent.

24 9. On or about March 4, 2013, Chris McClintock ("McClintock") offered to buy the  
25 Reservoir Street Property for \$62,500, and Bell accepted the offer.

26 10. RESPONDENT was McClintock's agent.

27 11. Marshall Realty did not input the Reservoir Street Property into the MLS until  
28 March 4, 2013, when it listed the property as sold.

1           12. On or about May 30, 2013, the sale on the Reservoir Street Property closed,  
2 resulting in Marshall Realty, via RESPONDENT and Carrasco, receiving both sides of the  
3 sales commission.

4           13. On or about July 3, 2013, McClintock entered into an Exclusive Right to Sell  
5 Contract, which engaged RESPONDENT to list and sell the Reservoir Street Property for a list  
6 price of \$130,000.

7           14. On or about September 25, 2013, McClintock resold the Reservoir Street  
8 Property for \$113,000, approximately \$50,500 more than his purchase price.

9           15. For that sale, RESPONDENT was McClintock's agent, so RESPONDENT  
10 received the seller's commission on that sale.

11 **BEACON DRIVE**

12           16. On or about April 20, 2012, Hilario Valdez ("Valdez") entered into an Exclusive  
13 Right to Sell Contract, which engaged Marshall Realty to list and sell real property located at  
14 7177 Beacon Drive, Reno, Nevada (the "Beacon Drive Property") for a list price of \$164,300.

15           17. Marshall Realty had Valdez sign an MLS waiver.

16           18. Carrasco was Valdez's agent.

17           19. On or about October 26, 2012, NRES-NV1, LLC/Jeremy Page ("Page") offered  
18 to buy the Beacon Drive Property, and Valdez accepted the offer.

19           20. RESPONDENT was Page's agent.

20           21. Marshall Realty did not input the Beacon Drive Property into the MLS until  
21 December 8, 2012, when it listed the property as short sale pending.

22           22. On or about January 31, 2013, the sale on the Beacon Drive Property closed  
23 with a final purchase price of \$158,000, resulting in Marshall Realty, via RESPONDENT and  
24 Carrasco, receiving both sides of the sales commission.

25           23. On or about March 8, 2013, Page resold the Beacon Drive Property for  
26 \$207,900, approximately \$49,900 more than his purchase price.

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1 **OXFORD AVENUE**

2 24. On or about August 24, 2012, Timothy and Maria Clarity (the "Claritys") entered  
3 into an Exclusive Right to Sell Contract, which engaged Marshall Realty to list and sell real  
4 property located at 1104 Oxford Avenue, Reno, Nevada (the "Oxford Avenue Property").

5 25. Marshall Realty had the Claritys sign an MLS waiver.

6 26. Carrasco was the Claritys' agent.

7 27. On or about August 27, 2012, Page offered to buy the Oxford Avenue Property,  
8 and the Claritys accepted the offer.

9 28. RESPONDENT was Page's agent.

10 29. Marshall Realty did not input the Oxford Avenue Property into the MLS until  
11 September 19, 2012, when it listed the property as short sale pending.

12 30. On or about February 19, 2013, the sale on the Oxford Avenue Property closed  
13 with a final purchase price of \$90,000, resulting in Marshall Realty, via RESPONDENT and  
14 Carrasco, receiving both sides of the sales commission.

15 31. On or about June 24, 2013, Page resold the Oxford Avenue Property for  
16 \$130,000, approximately \$40,000 more than his purchase price.

17 **VILLIAGE MEADOWS DRIVE**

18 32. On or about January 31, 2013, Richard and Janis Van Dine (the "Van Dines")  
19 entered into an Exclusive Right to Sell Contract, which engaged Marshall Realty to list and sell  
20 real property located at 5410 Village Meadows Drive, Reno, Nevada (the "Village Meadows  
21 Property").

22 33. Marshall Realty had the Van Dines sign an MLS waiver.

23 34. Carrasco was the Van Dines' agent.

24 35. On or about February 1, 2013, Page offered to buy the Village Meadows  
25 Property, and the Van Dines accepted the offer.

26 36. RESPONDENT was Page's agent.

27 37. Marshall Realty did not input the Village Meadows Property into the MLS until  
28 February 11, 2013, when it listed the property as sold.

1 38. On or about March 29, 2013, the sale on the Village Meadows Property closed  
2 with a final purchase price of \$135,000, resulting in Marshall Realty, via RESPONDENT and  
3 Carrasco, receiving both sides of the sales commission.

4 39. On or about August 16, 2013, Page resold the Village Meadows Property for  
5 \$179,900, approximately \$44,900 more than his purchase price.

6 **HEBRIDES COURT**

7 40. On or about September 17, 2012, Gerald and Anne Brown (the "Browns")  
8 entered into an Exclusive Right to Sell Contract, which engaged Marshall Realty to list and sell  
9 real property located at 7479 Hebrides Court, Reno, Nevada (the "Hebrides Court Property").

10 41. Marshall Realty had the Browns sign an MLS waiver.

11 42. Carrasco was the Browns' agent.

12 43. On or about September 19, 2012, Page offered to buy the Hebrides Court  
13 Property, and the Browns accepted the offer.

14 44. RESPONDENT was Page's agent.

15 45. Marshall Realty did not input the Hebrides Court Property into the MLS until  
16 December 8, 2012, when it listed the property as short sale pending.

17 46. On or about February 11, 2013, the sale on the Hebrides Court Property closed  
18 for a final purchase price of \$105,000, resulting in Marshall Realty, via RESPONDENT and  
19 Carrasco, receiving both sides of the sales commission.

20 47. On or about April 16, 2013, Page resold the Hebrides Court Property for  
21 \$143,000, approximately \$38,000 more than his purchase price.

22 **VIOLATIONS**

23 RESPONDENT has committed the following violations of law:

24 48. RESPONDENT violated NRS 645.633(1)(h), pursuant to NAC 645.605(6) and/or  
25 NRS 645.252(2), on *five* occasions by not dealing fairly with the above sellers.

26 49. RESPONDENT violated NRS 645.633(1)(h), pursuant to NAC 645.605(6) and/or  
27 NRS 645.252(2), on *five* occasions by not dealing fairly with the above sellers' mortgage  
28 lenders.

1 **DISCIPLINE AUTHORIZED**

2 50. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to  
3 impose an administrative fine of up to \$10,000 per violation against RESPONDENT and  
4 further to suspend, revoke or place conditions on the license of RESPONDENT.

5 51. Additionally, under NRS Chapter 622, the Commission is authorized to impose  
6 costs of the proceeding upon RESPONDENT, including investigative costs and attorney's  
7 fees, if the Commission otherwise imposes discipline on RESPONDENT.

8 52. Therefore, the Division requests that the Commission take such disciplinary  
9 action as it deems appropriate under the circumstances.

10 **NOTICE OF HEARING**

11 **PLEASE TAKE NOTICE** that a disciplinary hearing has been set to consider the  
12 Administrative Complaint against the above-named Respondent in accordance with Chapters  
13 233B and 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative  
14 Code.

15 **THE HEARING WILL TAKE PLACE** on January 7, 2015 commencing at 9:00 a.m.,  
16 or as soon thereafter as the Commission is able to hear the matter, and each day  
17 thereafter commencing at 9:00 a.m. through January 9, 2015, or earlier if the business  
18 of the Commission is concluded. The Commission meeting will be held on January 7,  
19 2015, at the Henderson City Hall, Council Chambers Conference Room, 240 Water  
20 Street, Henderson, Nevada 89015. The meeting will continue on January 8, 2015, at the  
21 Henderson City Hall, Council Chambers Conference Room, 240 Water Street,  
22 Henderson, Nevada 89015, commencing at 9:00 a.m., and on January 9, 2015, should  
23 business not be concluded, starting at 9:00 a.m. at the Bradley Building, 2501 East  
24 Sahara Avenue, 2<sup>nd</sup> Floor Conference Room, Las Vegas, Nevada 89104.

25 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the  
26 same time as part of a regular meeting of the Commission that is expected to last from  
27 January 7 through January 9, 2015, or earlier if the business of the Commission is  
28 concluded. Thus, your hearing may be continued until later in the day or from day to

1 day. It is your responsibility to be present when your case is called. If you are not  
2 present when your hearing is called, a default may be entered against you and the  
3 Commission may decide the case as if all allegations in the complaint were true. If you  
4 have any questions please call Rebecca Hardin, Commission Coordinator (702) 486-  
5 4074.

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

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

19 You have the right to request that the Commission issue subpoenas to compel  
20 witnesses to testify and/or evidence to be offered on your behalf. In making the request, you  
21 may be required to demonstrate the relevance of the witness' testimony and/or evidence.  
22 Other important rights you have are listed in NRS 645.680 through 645.990, NRS Chapter  
23 233B, and NAC 645.810 through 645.920.

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1 The purpose of the hearing is to determine if the Respondent has violated NRS 645  
2 and/or NAC 645 and if the allegations contained herein are substantially proven by the  
3 evidence presented and to further determine what administrative penalty, if any, is to be  
4 assessed against the Respondent, pursuant to NRS 645.235, 645.633 and/or 645.630.

5 DATED this 2nd day of December, 2014.

6 State of Nevada  
7 Department of Business and Industry  
8 Real Estate Division

9 By:   
10 JOSEPH R. DECKER, Administrator  
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