

FILED

BEFORE THE REAL ESTATE COMMISSION

MAR 20 2015

STATE OF NEVADA

REAL ESTATE COMMISSION
BY *[Signature]*

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

Case No. RES 14-02-01-472

Petitioner,

vs.

COMPLAINT AND NOTICE OF HEARING

CINDY KRSHUL,

Respondent.

The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA ("DIVISION"), by and through its counsel, Adam Paul Laxalt, Attorney General of the State of Nevada, and Kimberly A. Arguello, Senior Deputy Attorney General, hereby notifies RESPONDENT CINDY KRUSHL ("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 CINDY KRSHUL was at all relevant times mentioned in this Complaint licensed as a Broker, B.1000682.LLC and Property Manager, PM.0164639.BKR, by the Division and is therefore subject to the jurisdiction of the Division and the provisions of NRS chapter 645 and NAC chapter 645.

FACTUAL ALLEGATIONS

1. RESPONDENT, at the relevant times mentioned in this Complaint, was licensed as a Broker and Property Manager, license numbers B.1000682.LLC and PM.0164639.BKR

Attorney General's Office
555 E. Washington, Suite 3900
Las Vegas, NV 89101

1 from August 20, 2010 through present, and is currently in an active status and subject to the
2 jurisdiction of the Division and the provisions of NRS chapter 645 and NAC chapter 645.

3 2. At all relevant times, Respondent held her client's trust account funds in Bank of
4 America owners operating trust account ending 8911.

5 3. From that owners operating trust account, Respondent wrote check number
6 1103 to The City of Fernley in the amount of \$100 for her license fee.

7 4. From that owners operating trust account, Respondent paid \$89 to Mendability:
8 Home-based Autism Therapy.

9 5. Respondent used an ATM card to withdraw funds from the owners operating
10 trust account for numerous purchases from restaurants, bar & grills, and markets totaling
11 \$303.83.

12 6. From that owners operating trust account, Respondent wrote check number
13 1105 in the amount of \$200 to Completely Geek for computer work.

14 7. From that owners operating trust account, Respondent wrote check number
15 1104 in the amount of \$1,092 to "Ross" for a "cow".

16 8. The above converting of the money of others for Respondents personal use all
17 occurred in October 2013.

18 **VIOLATIONS**

19 RESPONDENT has committed the following violations of law:

20 9. RESPONDENT committed five violations of NRS 645.630(1)(h) by converting
21 the money of others held in her owners operating trust account to her own use.

22 **DISCIPLINE AUTHORIZED**

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

26 11. Additionally, under NRS Chapter 622, the Commission is authorized to impose
27 costs of the proceeding upon Respondent, including investigative costs and attorney's fees, if
28 the Commission otherwise imposes discipline on Respondent.

1 the evidence and arguments, the commission may conduct a closed meeting to discuss your
2 alleged misconduct or professional competence. A verbatim record will be made by a certified
3 court reporter. You are entitled to a copy of the transcript of the open and closed portions of
4 the meeting, although you must pay for the transcription.

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

12 You have the right to request that the Commission issue subpoenas to compel
13 witnesses to testify and/or evidence to be offered on your behalf. In making the request, you
14 may be required to demonstrate the relevance of the witness' testimony and/or evidence.
15 Other important rights you have are listed in NRS 645.680 through 645.990, NRS Chapter
16 233B, and NAC 645.810 through 645.875.

17 The purpose of the hearing is to determine if the Respondent has violated NRS 645
18 and/or NAC 645 and if the allegations contained herein are substantially proven by the
19 evidence presented and to further determine what administrative penalty is to be assessed

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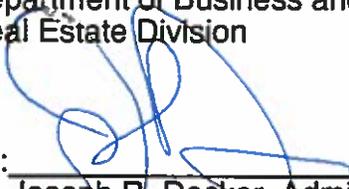
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1 against the RESPONDENT, if any, pursuant to NRS 645.235, 645.633 and or 645.630.

2 DATED this 20th day of MARCH, 2015.

3 State of Nevada
4 Department of Business and Industry
5 Real Estate Division

6 By: 
7 Joseph R. Decker, Administrator
8 2501 East Sahara Avenue
9 Las Vegas, Nevada 89104-4137
10 (702) 486-4033

11 ADAM PAUL LAXALT
12 Attorney General

13 By: 
14 KIMBERLY A. ARGUELLO
15 Senior Deputy Attorney General
16 555 East Washington Ave., Ste. 3900
17 Las Vegas, Nevada 89101
18 (702) 486-3094
19 Attorneys for Real Estate Division
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