

FILED
SEP 11 2014
REAL ESTATE COMMISSION
Robert Masto

BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

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

Case No. RES 13-04-17-305

Petitioner,

vs.

COMPLAINT AND NOTICE OF HEARING

PAUL MURAD,

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 PAUL MURAD ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION ("COMMISSION") which 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 PAUL MURAD was at all relevant times mentioned in this Complaint licensed by the Division as a property manager under license number PM.0163450.BRK, and licensed as a real estate broker under license number B.0057454.LLC, 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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FACTUAL ALLEGATIONS

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2 1. RESPONDENT has been licensed as a property manager, license number
3 PM.0163450.BRK since June 19, 2007, and as a real estate broker, license number
4 B.0057454.LLC since May 25, 2007, and is in active status.

5 2. RESPONDENT was licensed as a real estate salesperson, license number
6 S.0057454 from August 25, 2003, until May 25, 2007.

7 3. RESPONDENT is subject to the jurisdiction of the Division and the Commission
8 and the provisions of NRS chapter 645 and NAC chapter 645.

9 4. On or about June 24, 2004, RESPONDENT purchased the property at 7029
10 Diver Avenue, North Las Vegas, Nevada ("Property").

11 5. On or about November 30, 2007, RESPONDENT allegedly transferred the
12 Property to Lotus International Group ("Lotus") via quitclaim deed.

13 6. In the declaration of value form for the quitclaim deed, RESPONDENT identified
14 Lotus as a "wholly owned LLC."

15 7. On that declaration of value form, RESPONDENT's address and Lotus's
16 address are each listed as P.O. Box 93033, Las Vegas, Nevada, 89193.

17 8. On or about April 20, 2008, Leslie and Anthony Cooper (collectively referred to
18 herein as "the Coopers") entered into a Residential Rental Agreement and an Option to
19 Purchase Agreement for the Property.

20 9. There are two versions of page one of the Residential Rental Agreement. One
21 version lists RESPONDENT as the Landlord, while the other version lists Lotus as the
22 Landlord.

23 10. The Coopers made their first monthly rent payment directly to RESPONDENT.

24 11. There are two versions of page one of the Option to Purchase Agreement. One
25 version lists RESPONDENT as the Seller, while the other version lists Lotus as the Seller.

26 12. The Option to Purchase Agreement granted the Coopers until April 30, 2010, to
27 exercise their option to purchase the Property.

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1 13. The Coopers made payments pursuant to the Residential Rental Agreement and
2 the Option to Purchase Agreement, and made improvements to the Property.

3 14. Pursuant to the Residential Rental Agreement and an Option to Purchase
4 Agreement, \$8,400 of the monies paid by the Coopers was to be applied to the purchase of
5 the Property if the Coopers exercised their option.

6 15. In or about February 2009, the Coopers learned that RESPONDENT planned to
7 sell the Property via a short sale notwithstanding the Coopers' option to purchase the
8 Property.

9 16. The Coopers, through their agent, made an offer to purchase the Property; that
10 offer included a credit of the monies the Coopers had already paid toward the Property.

11 17. RESPONDENT rejected the Coopers' offer, and refused to credit the Coopers
12 with the monies they had paid toward the Property.

13 18. In correspondence regarding the planned short sale, RESPONDENT's agent
14 referred to RESPONDENT as the seller of the Property.

15 19. Despite the alleged quitclaim deed referenced in paragraph 5, above, a notice of
16 default was entered *against RESPONDENT* on or about March 24, 2009, due to his failure to
17 pay the mortgage on the Property.

18 20. After learning of the notice of default against RESPONDENT, the Coopers
19 declared on or about April 2, 2009, that they would no longer pay rent to RESPONDENT but
20 would pay the rent directly to the bank holding the mortgage.

21 21. Approximately one week later, RESPONDENT evicted the Coopers from the
22 Property.

23 22. On or about June 30, 2009, RESPONDENT conveyed the Property to
24 Recontrust Company, N.A., via a trustee sale.

25 23. On or about April 26, 2013, the Coopers filed a Statement of Fact with the
26 Division complaining about RESPONDENT's conduct.

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1 Sawyer Building, 555 East Washington Avenue, Room 4401, Las Vegas, Nevada 89101.
2 The meeting will continue on October 15, 2014 at the Grant Sawyer Building, 555 East
3 Washington Avenue, Room 4401, Las Vegas, Nevada 89101, commencing at 8:30 a.m.,
4 and on October 16, 2014, should business not be concluded, starting at 8:30 a.m. at the
5 Grant Sawyer Building, Gaming Control Board, 555 East Washington Avenue, Room
6 2450, Las Vegas, Nevada 89101.

7 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the
8 same time as part of a regular meeting of the Commission that is expected to last from
9 October 14 through October 16, 2014, or earlier if the business of the Commission is
10 concluded. Thus, your hearing may be continued until later in the day or from day to
11 day. It is your responsibility to be present when your case is called. If you are not
12 present when your hearing is called, a default may be entered against you and the
13 Commission may decide the case as if all allegations in the complaint were true. If you
14 have any questions please call Rebecca Hardin, Commission Coordinator (702) 486-
15 4074.

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

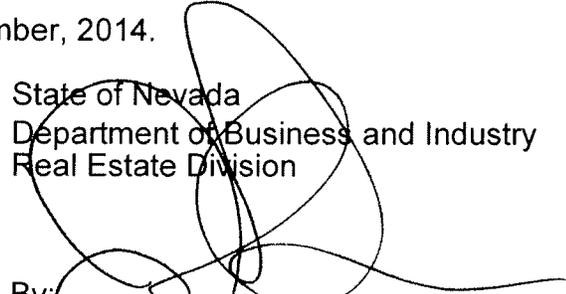
22 As the Respondent, you are specifically informed that you have the right to appear and
23 be heard in your defense, either personally or through your counsel of choice. At the hearing,
24 the Division has the burden of proving the allegations in the complaint and will call witnesses
25 and present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

1 You have the right to request that the Commission issue subpoenas to compel
2 witnesses to testify and/or evidence to be offered on your behalf. In making the request, you
3 may be required to demonstrate the relevance of the witness' testimony and/or evidence.
4 Other important rights you have are listed in NRS 645.680 through 645.990, NRS Chapter
5 233B, and NAC 645.810 through 645.920.

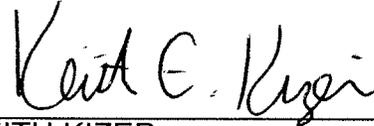
6 The purpose of the hearing is to determine if the Respondent has violated NRS 645
7 and/or NAC 645 and if the allegations contained herein are substantially proven by the
8 evidence presented and to further determine what administrative penalty, if any, is to be
9 assessed against the Respondent, pursuant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

10 DATED this 11th day of September, 2014.

11 State of Nevada
12 Department of Business and Industry
13 Real Estate Division

14 By: 
15 JOSEPH DECKER, Administrator
16 2501 East Sahara Avenue
17 Las Vegas, Nevada 89104-4137
18 (702) 486-4033

19 CATHERINE CORTEZ MASTO
20 Attorney General

21 By: 
22 KEITH KIZER
23 Deputy Attorney General
24 555 East Washington Ave., Ste. 3900
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