

SEP 11 2014

BEFORE THE REAL ESTATE COMMISSION

REAL ESTATE COMMISSION  
BY *[Signature]*

STATE OF NEVADA

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

Case No. RES 13-03-38-286

Petitioner,

vs.

COMPLAINT AND NOTICE OF HEARING

CHRISTOPHER RODRIGUEZ,

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 CHRISTOPHER RODRIGUEZ ("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 645.235 and/or NRS 622.400, and the discipline to be imposed, if violations of law are proven.

JURISDICTION

RESPONDENT CHRISTOPHER RODRIGUEZ engaged in activities which require a license as a real estate broker and/or real estate broker-salesperson issued by the DIVISION and is, therefore, subject to the jurisdiction of the DIVISION and the provisions of NRS and NAC 645.

FACTUAL ALLEGATIONS

1. At the relevant times mentioned in this Complaint, RESPONDENT was founder and president of Pacific Commercial Investments Inc.

1           2.       At the relevant times mentioned in this Complaint, Pacific Commercial  
2 Investments Inc. was based in Irvine, California.

3           3.       RESPONDENT, in or about 2013, engaged in the offering, soliciting, and/or  
4 listing of the following real properties in Nevada for another and for compensation or with the  
5 intention or expectation of receiving compensation:

- 6           a) 7-Eleven, Las Vegas
- 7           b) Pad to Market/Drug Center, Las Vegas
- 8           c) Fresh & Easy, Henderson
- 9           d) McDonald's, Las Vegas
- 10          e) Las Vegas Outlet Center I, Las Vegas
- 11          f) Las Vegas Outlet Center II, Las Vegas
- 12          g) Las Vegas Outlet Center III, Las Vegas
- 13          h) Original Tommy's, Henderson
- 14          i) Raising Cane's, Las Vegas

15          4.       RESPONDENT is not and has never been licensed by the DIVISION.

16          5.       On or about March 13, 2013, the DIVISION emailed RESPONDENT stating that  
17 RESPONDENT'S "California license does not allow [him] to solicit the sale of, advertise or list  
18 Nevada property" and telling him to "discontinue the soliciting/advertising/listing [of] this  
19 Nevada property immediately."

20          6.       RESPONDENT did not respond to the DIVISION'S March 13, 2013 email  
21 correspondence.

22          7.       On or about March 28, 2013, the DIVISION sent a letter to RESPONDENT  
23 requesting copies of specified listing agreements and sales agreements.

24          8.       RESPONDENT did not respond to the DIVISION'S March 28, 2013 letter.

25          9.       On or about June 5, 2013, the DIVISION sent a letter to RESPONDENT  
26 requesting that he respond to the DIVISION'S March 28, 2013 letter.

27          10.       RESPONDENT did not respond to the DIVISION'S March 28, 2013 letter, nor  
28 did he respond to the DIVISION'S June 5, 2013 letter.

1 11. On or about July 18, 2013, the DIVISION emailed RESPONDENT stating that  
2 RESPONDENT had repeatedly failed to contact, or provide information, to the DIVISION, and  
3 that the DIVISION intended "to proceed to a hearing before the Real Estate Commission" and  
4 to report any imposed "disciplinary action to the California Department of Real Estate."

5 12. On or about July 18, 2013, after getting a brief email response from  
6 RESPONDENT, the DIVISION emailed RESPONDENT stating that "there is nothing under  
7 Nevada law that allows [him] to solicit the sale of a Nevada property without a Nevada real  
8 estate license ...."

9 13. Thereafter, RESPONDENT continued to engage in the offering, soliciting, and/or  
10 listing of real properties in Nevada for another and for compensation or with the intention or  
11 expectation of receiving compensation.

12 14. On or about September 16, 2013, the DIVISION sent a *Cease and Desist Order*  
13 to RESPONDENT, ordering RESPONDENT to cease and desist "from conducting any and all  
14 real estate activity, as defined in NRS 645.030, which [he] may currently be engaged within  
15 the State of Nevada."

16 **VIOLATIONS**

17 RESPONDENT has committed the following violations of law:

18 15. RESPONDENT violated NRS 645.230(1)(a) on NINE occasions by engaging in  
19 real estate broker activities without a license regarding Nevada properties.

20 **DISCIPLINE AUTHORIZED**

21 16. Pursuant to NRS 645.235, the Commission is empowered to impose an  
22 administrative fine in an amount not to exceed the amount of gain or economic benefit that the  
23 person derived from the violation or \$5,000, whichever amount is greater, against  
24 RESPONDENT for each violation of NRS 645.230.

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

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1 18. Therefore, the DIVISION requests that the Commission take such disciplinary  
2 action as it deems appropriate under the circumstances.

3 **NOTICE OF HEARING**

4 **PLEASE TAKE NOTICE** that a disciplinary hearing has been set to consider the  
5 Administrative Complaint against the above-named Respondent in accordance with Chapters  
6 233B and 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative  
7 Code.

8 **THE HEARING WILL TAKE PLACE on October 14, 2014 commencing at 8:30 a.m.,**  
9 **or as soon thereafter as the Commission is able to hear the matter, and each day**  
10 **thereafter commencing at 8:30 a.m. through October 16, 2014, or earlier if the business**  
11 **of the Commission is concluded. The Commission meeting will be held at the Grant**  
12 **Sawyer Building, 555 East Washington Avenue, Room 4401, Las Vegas, Nevada 89101.**  
13 **The meeting will continue on October 15, 2014 at the Grant Sawyer Building, 555 East**  
14 **Washington Avenue, Room 4401, Las Vegas, Nevada 89101, commencing at 8:30 a.m.,**  
15 **and on October 16, 2014, should business not be concluded, starting at 8:30 a.m. at the**  
16 **Grant Sawyer Building, Gaming Control Board, 555 East Washington Avenue, Room**  
17 **2450, Las Vegas, Nevada 89101.**

18 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the  
19 same time as part of a regular meeting of the Commission that is expected to last from  
20 October 14 through October 16, 2014, or earlier if the business of the Commission is  
21 concluded. Thus, your hearing may be continued until later in the day or from day to  
22 day. It is your responsibility to be present when your case is called. If you are not  
23 present when your hearing is called, a default may be entered against you and the  
24 Commission may decide the case as if all allegations in the complaint were true. If you  
25 have any questions please call Rebecca Hardin, Commission Coordinator (702) 486-  
26 4074.

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

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

14           You have the right to request that the Commission issue subpoenas to compel  
15 witnesses to testify and/or evidence to be offered on your behalf. In making the request, you  
16 may be required to demonstrate the relevance of the witness' testimony and/or evidence.  
17 Other important rights you have are listed in NRS 645.680 through 645.990, NRS Chapter  
18 233B, and NAC 645.810 through 645.875.

19           The purpose of the hearing is to determine if the Respondent has violated NRS 645  
20 and/or NAC 645 and if the allegations contained herein are substantially proven by the

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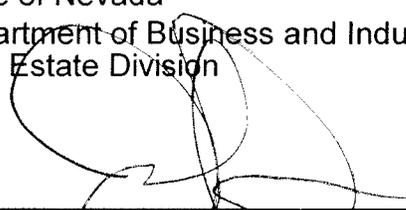
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1 evidence presented and to further determine what administrative penalty, if any, is to be  
2 assessed against the Respondent pursuant to NRS 645.235, 645.633 and or 645.630.

3 DATED this 11<sup>th</sup> day of September, 2014.

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

7 By:   
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11 (702) 486-4033

12 CATHERINE CORTEZ MASTO  
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14 By:   
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