

FILED

BEFORE THE REAL ESTATE COMMISSION MAR 20 2015

STATE OF NEVADA

REAL ESTATE COMMISSION  
BY *Robert A. ...*

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

Case No. RES 14-05-81-1061

Petitioner,

vs.

COMPLAINT AND NOTICE OF HEARING

JOHN M. BROWN JR.,

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 Keith E. Kizer, Deputy Attorney General, hereby notifies RESPONDENT JOHN M. BROWN JR. ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION ("Commission"). The 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 JOHN M. BROWN JR. was at all relevant times mentioned in this Complaint licensed by the Division as a Broker under license number B.0044011.LLC, a Business Broker under license number BUSB.0000404.BKR, and as a Property Manager under license number PM.0163002.BKR, and is therefore subject to the jurisdiction of the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 645.

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FACTUAL ALLEGATIONS

1  
2 1. RESPONDENT has been licensed by the Division as a Broker, license number  
3 B.0044011.LLC since January 31, 2002, as a Business Broker, license number  
4 BUSB.0000404.BKR since November 6, 2007, and as a Property Manager, license number  
5 PM.0163002.BKR since February 17, 2006, and is in active status.

6 2. RESPONDENT is subject to the jurisdiction of the Division and the Commission,  
7 and the provisions of NRS chapter 645 and NAC chapter 645.

8 3. At all times relevant to the Complaint, RESPONDENT was the broker for Ameri-  
9 Dream Realty LLC.

10 4. Elsie P. Brown ("Elsie Brown") was licensed as a Salesperson, license number  
11 S.0069366, since January 23, 2006, and was associated with RESPONDENT and Ameri-  
12 Dream Realty LLC at the relevant times mentioned in this Complaint.

13 5. Ameri-Dream Realty LLC had a General Account, XXXXXX787, at JPMorgan  
14 Chase Bank.

15 6. RESPONDENT listed himself and Elsie Brown as signers on that General  
16 Account.

17 7. Ameri-Dream Realty LLC had a Security Deposit Account, XXXXXX795, at  
18 JPMorgan Chase Bank.

19 8. RESPONDENT listed himself and Elsie Brown as signers on the Security  
20 Deposit Account.

21 9. RESPONDENT failed to designate that Security Deposit Account as a trust  
22 account.

23 10. Ameri-Dream Realty LLC had a Property Management Account, XXXXXX9331,  
24 at JPMorgan Chase Bank.

25 11. RESPONDENT failed to designate that Property Management Account as a  
26 trust account.

27 12. On or about February 27, 2013, Elsie Brown transferred \$25,000 from the  
28 General Account to Unibank Inc. Metro Philippines.

- 1           13.    On or about March 14, 2013, Elsie Brown transferred \$50,000 from the Security
- 2           Deposit Account to Unibank Inc. Metro Philippines.
- 3           14.    On or about April 10, 2013, Elsie Brown transferred \$49,263 from the Security
- 4           Deposit Account to Unibank Inc. Metro Philippines.
- 5           15.    On or about April 17, 2013, Elsie Brown transferred \$24,600 from the Security
- 6           Deposit Account to Unibank Inc. Metro Philippines.
- 7           16.    On or about May 17, 2013, Elsie Brown transferred \$97,930 from the Security
- 8           Deposit Account to Unibank Inc. Metro Philippines.
- 9           17.    On or about May 24, 2013, Elsie Brown transferred \$49,000 from the Security
- 10          Deposit Account to Unibank Inc. Metro Philippines.
- 11          18.    On or about June 25, 2013, Elsie Brown transferred \$71,500 from the Security
- 12          Deposit Account to Unibank Inc. Metro Philippines.
- 13          19.    On or about July 18, 2013, Elsie Brown transferred \$35,000 from the Security
- 14          Deposit Account to Unibank Inc. Metro Philippines.
- 15          20.    On or about September 10, 2013, Elsie Brown transferred \$7,670 from the
- 16          Security Deposit Account to Unibank Inc. Metro Philippines.
- 17          21.    On or about September 23, 2013, Elsie Brown transferred \$18,700 from the
- 18          Security Deposit Account to Unibank Inc. Metro Philippines.
- 19          22.    On or about September 27, 2013, Elsie Brown transferred \$23,255 from the
- 20          Security Deposit Account to Unibank Inc. Metro Philippines.
- 21          23.    On or about October 9, 2013, Elsie Brown transferred \$10,020 from the Security
- 22          Deposit Account to Unibank Inc. Metro Philippines.
- 23          24.    On or about October 22, 2013, Elsie Brown transferred \$13,960 from the
- 24          Security Deposit Account to Unibank Inc. Metro Philippines.
- 25          25.    On or about October 24, 2013, Elsie Brown transferred \$11,700 from the
- 26          Security Deposit Account to Unibank Inc. Metro Philippines.
- 27          26.    On or about December 20, 2013, Elsie Brown transferred \$8,000 from the
- 28          Security Deposit Account to Unibank Inc. Metro Philippines.



1 233B and 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative  
2 Code.

3 **THE HEARING WILL TAKE PLACE on April 21, 2015 commencing at 9:00 a.m., or**  
4 **as soon thereafter as the Commission is able to hear the matter, and each day**  
5 **thereafter commencing at 9:00 a.m. through April 23, 2015, or earlier if the business of**  
6 **the Commission is concluded. The Commission meeting will be held on April 21, 2015,**  
7 **at the Grant Sawyer Building, Gaming Control Board, 555 East Washington Avenue,**  
8 **Room 2450, Las Vegas, Nevada 89101. The meeting will continue on April 22, 2015, at**  
9 **the Grant Sawyer Building, Gaming Control Board, 555 East Washington Avenue, Room**  
10 **2450, Las Vegas, Nevada 89101, commencing at 9:00 a.m., and on April 23, 2015,**  
11 **should business not be concluded, starting at 9:00 a.m. at the Bradley Building, 2501**  
12 **East Sahara Avenue, 2<sup>nd</sup> Floor Conference Room, Las Vegas, Nevada 89104.**

13 **STACKED CALENDAR: Your hearing is one of several hearings scheduled at the**  
14 **same time as part of a regular meeting of the Commission that is expected to last from**  
15 **April 21 through April 23, 2015, or earlier if the business of the Commission is**  
16 **concluded. Thus, your hearing may be continued until later in the day or from day to**  
17 **day. It is your responsibility to be present when your case is called. If you are not**  
18 **present when your hearing is called, a default may be entered against you and the**  
19 **Commission may decide the case as if all allegations in the complaint were true. If you**  
20 **have any questions please call Rebecca Hardin, Commission Coordinator (702) 486-**  
21 **4074.**

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

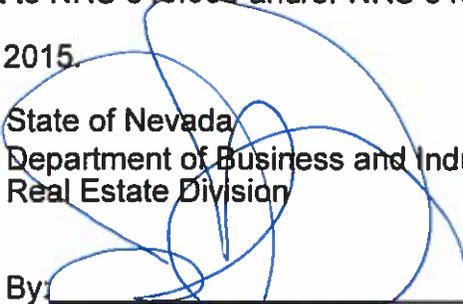
1 As the Respondent, you are specifically informed that you have the right to appear and  
2 be heard in your defense, either personally or through your counsel of choice. At the hearing,  
3 the Division has the burden of proving the allegations in the complaint and will call witnesses  
4 and present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

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

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

17 DATED this 20<sup>th</sup> day of March, 2015.

18 State of Nevada  
19 Department of Business and Industry  
20 Real Estate Division

21 By:   
22 JOSEPH R. DECKER, Administrator  
23 2501 East Sahara Avenue  
24 Las Vegas, Nevada 89104-4137  
25 (702) 486-4033

26 ADAM PAUL LAXALT  
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