

FILED

AUG 11 2015

BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

REAL ESTATE COMMISSION
BY *Rebecca Hader*

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

Case No. 2014-3232

Petitioner,

vs.

COMPLAINT AND NOTICE OF HEARING

PAULA D. SHORT

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 Kimberly A. Arguello, Senior Deputy Attorney General, hereby notifies RESPONDENT PAULA D. SHORT ("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 PAULA D. SHORT was at all relevant times mentioned in this Complaint licensed as a broker by the Division under license number B.0048270.LLC at the time of the violations and as a property manager, permit number PM.0164035 and is therefore subject to the jurisdiction of the Division and the provisions of NRS chapter 645 and NAC chapter 645.

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

FACTUAL ALLEGATIONS

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2 1. RESPONDENT, at the relevant times mentioned in this Complaint, was licensed
3 as a broker by the Division under license number B.0048270.LLC and as a property manager,
4 permit number PM.0164035, and is currently inactive and subject to the jurisdiction of the
5 Division and the provisions of NRS chapter 645 and NAC chapter 645.

6 2. During all times relevant to the complaint, Respondent was the broker and
7 property manager for Desert Gold Realty.

8 3. Respondent embezzled approximately \$25,000 from the Desert Gold Realty rent
9 collection trust account for her own personal use.

10 4. Respondent embezzled approximately \$49,000 from the Desert Gold Realty
11 security deposit trust account for her own personal use.

12 5. Upon discovery of the missing trust account funds, Respondent admitted that
13 she took the funds.

VIOLATIONS

14
15 RESPONDENT has committed the following violations of law:

16 6. RESPONDENT violated NRS 645.630(1)(h) by converting funds from the Desert
17 Gold Realty rent collection trust account for her own personal use.

18 7. RESPONDENT violated NRS 645.630(1)(h) by converting funds from the Desert
19 Gold Realty security deposit trust account for her own personal use.

20 8. RESPONDENT violated NRS 645.633(1) as the actions of RESPONDENT
21 constitute deceitful, fraudulent or dishonest dealing pursuant to NAC 645.605(6) by breaching
22 her obligation of absolute fidelity to her principal's interest.

DISCIPLINE AUTHORIZED

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

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

1 the Commission otherwise imposes discipline on Respondent.

2 11. Therefore, the Division requests that the Commission take such disciplinary
3 action as it deems appropriate under the circumstances.

4 **NOTICE OF HEARING**

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

9 **THE HEARING WILL TAKE PLACE on September 15, 2015 commencing at 9:00**
10 **a.m., or as soon thereafter as the Commission is able to hear the matter, and each day**
11 **thereafter commencing at 9:00 a.m. through September 17, 2015, or earlier if the**
12 **business of the Commission is concluded. The Commission meeting will be held on**
13 **September 15, 2015, at the Grant Sawyer Building, Gaming Control Board, 555 East**
14 **Washington Avenue, Room 2450, Las Vegas, Nevada 89101. The meeting will continue**
15 **on September 16, 2015, at the Grant Sawyer Building, Gaming Control Board, 555 East**
16 **Washington Avenue, Room 2450, Las Vegas, Nevada 89101, commencing at 9:00 a.m.,**
17 **and on September 17, 2015, should business not be concluded, starting at 9:00 a.m. at**
18 **the Grant Sawyer Building, 555 East Washington Avenue, Room 4401, Las Vegas,**
19 **Nevada 89101.**

20 **STACKED CALENDAR: Your hearing is one of several hearings scheduled at the**
21 **same time as part of a regular meeting of the Commission that is expected to last from**
22 **September 15 through September 17, 2015, or earlier if the business of the Commission**
23 **is concluded. Thus, your hearing may be continued until later in the day or from day to**
24 **day. It is your responsibility to be present when your case is called. If you are not**
25 **present when your hearing is called, a default may be entered against you and the**
26 **Commission may decide the case as if all allegations in the complaint were true. If you**
27 **have any questions please call Rebecca Hardin, Commission Coordinator (702) 486-**
28 **4074.**

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
21 evidence presented and to further determine what administrative penalty is to be assessed

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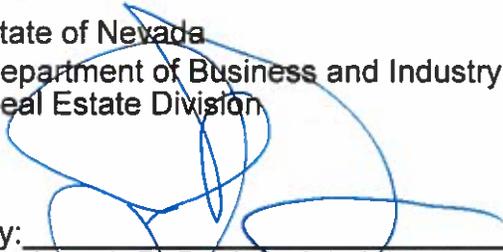
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1 against the RESPONDENT, if any, pursuant to NRS 645.235, 645.633 and or 645.630.

2 DATED this 11 day of AUGUST, 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 CATHERINE CORTEZ MASTO
12 Attorney General

13 By: 
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15 Senior Deputy Attorney General
16 555 East Washington Ave., Ste. 3900
17 Las Vegas, Nevada 89101
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19 Attorneys for Real Estate Division