

FILED

MAY 17 2016

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

REAL ESTATE COMMISSION  
BY *Rebecca Hardin*

GAIL J. ANDERSON, Administrator,  
REAL ESTATE DIVISION, DEPARTMENT  
OF BUSINESS & INDUSTRY,  
STATE OF NEVADA,

Case No. RES 13-08-36-070

Petitioner,

DECISION

vs.

KRYSTIN MARIE BUNCH,

Respondent.

This matter came on for hearing before the Nevada Real Estate Commission, Department of Business and Industry, State of Nevada ("Commission") on July 16, 2013 at the Grant Sawyer Building, 555 E. Washington Avenue, Room 4401, Las Vegas, NV 89101. Present were Commissioners Marc Sykes, Norma Jean Opatik, Richard Johnson, Paul Murad and David Boyer. The Respondent, KRYSTIN MARIE BUNCH ("RESPONDENT"), failed to appear at the Hearing, failed to file an Answer to the Complaint, and failed to request a continuance of the Hearing. Daniel Ebihara, Deputy Attorney General, appeared on behalf of Petitioner.

FINDINGS OF FACT

The Commission, based upon the evidence presented during the hearing, finds that there is substantial evidence in the record to establish each of the following Findings of Fact:

1. Counsel for Petitioner made an offer of proof that RESPONDENT was given proper notice of the hearing.

2. Rebecca Hardin, Commission Coordinator, testified that the Complaint, Notice of Complaint and Notice of Documents were mailed to RESPONDENT at the last known address RESPONDENT provided to the Nevada Real Estate Division ("Division") via certified and regular mail more than 30 days prior to the hearing.

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

1           3.     Ms. Hardin testified that the mail was returned and contained a forwarding  
2 address. The Complaint, Notice of Complaint and Notice of Documents were then sent to the  
3 new address via certified and regular mail. The Certified mail was delivered and signed for.  
4 The regular mail was not returned to the Division. The signed green card for the certified mail  
5 was marked and admitted into evidence.

6           4.     Ms. Hardin testified that and the Commission so finds that RESPONDENT failed  
7 to file an Answer and failed to request a continuance of the hearing.

8           5.     The Commission finds that proper notice of the hearing was given to  
9 RESPONDENT.

10          6.     Pursuant to NAC 645.860, the Commission finds that the following charges  
11 specified in the Complaint are true.

12          7.     RESPONDENT was a licensed real estate salesperson with the Division under  
13 license no. S.0167549, since December 2008.

14          8.     RESPONDENT holds a property management permit no. PM.0164060, which  
15 was issued on July 28, 2010.

16          9.     RESPONDENT's license was associated with broker Samuel A. Schwartz at all  
17 times relevant in this Complaint.

18          10.    Mr. Schwartz's registered business entity with the Division was "&Opportunities,  
19 Inc." from October 25, 2007, through April 9, 2012.

20          11.    Mr. Schwartz's registered business entity with the Division was changed to "And  
21 Opportunities Real Estate, Inc." from April 9, 2012, to the present.

22          12.    On September 6, 2012, the Division received a disassociation for  
23 RESPONDENT from broker Schwartz. RESPONDENT's license and permit are currently in  
24 inactive status.

25          13.    Along with Mr. Schwartz, RESPONDENT formed companies called "Las Vegas  
26 Tenant Finder," and "&Opportunities Management, Inc."

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FLORES PROPERTIES

14. Mr. Flores stated that he had retained Las Vegas Tenant Finder as the property manager for his properties.

15. Mr. Flores did not receive the check for July 2012 rent. When he inquired, he was informed by RESPONDENT's office that the "check was in the mail."

16. When the check did not arrive, Mr. Flores was informed that he could pick up the check personally.

17. On July 28, 2012, RESPONDENT signed Check No.2802 from Las Vegas Tenant Finder in the amount of \$1,183.00. The memo line states, "Summerhill July re-issue." The check was made payable to Marco Flores and Jesus Martinez. (Ex. 003).

18. On July 28, 2012, Mr. Flores picked up the check and deposited it. The check was returned non-sufficient funds. (Ex. 003).

ABRAHMS PROPERTY

19. RESPONDENT contracted for property management services for a Las Vegas property located at 7967 Avalon Island Street on December 27, 2012. (Ex. 772).

20. This contract occurred after RESPONDENT surrendered her license.

21. The contract stated that Mr. Abrahms was to receive \$1,899.00 on leases, which began on January 1, 2013.

22. Mr. Abrahms has not received any money from RESPONDENT. (Ex. 771).

ACTS OF MISREPRESENTATION

23. On April 27, 2009, RESPONDENT signed as broker for the landlord on the Residential Lease Agreement for 11733 Tierney Creek. (Ex. 715).

24. On September 27, 2011, RESPONDENT signed as broker for the landlord on the Residential Lease Agreement for 7305 Hollywood Park Ave. (Ex. 520).

25. On October 10, 2011, RESPONDENT signed as broker for the landlord on the Residential Lease Agreement for 10820 Villa Torre St. (Ex. 740).

26. On November 19, 2011, RESPONDENT signed as broker for the landlord on the Residential Lease Agreement for 5000 Red Rock St., #120. (Ex. 638).

- 1           27.    On February 27, 2012, RESPONDENT signed as broker for the landlord on the  
2 Residential Lease Agreement for 717 Carpenter Dr. (Ex. 357).
- 3           28.    On February 28, 2012, RESPONDENT signed as broker for the landlord on the  
4 Residential Lease Agreement for 8810 Promised Land Ave. (EX. 626).
- 5           29.    On March 1, 2012, RESPONDENT signed as broker for the landlord on the  
6 Residential Lease Agreement for 9838 Mt Oroville Ct. (Ex. 594).
- 7           30.    On March 1, 2012, RESPONDENT signed as broker for the landlord on the  
8 Residential Lease Agreement for 7100 Pirates Cove Rd. (Ex. 618).
- 9           31.    On March 3, 2012, RESPONDENT signed as broker for the landlord on the  
10 Residential Lease Agreement for 5055 W. Hacienda, #1039. (Ex. 508).
- 11          32.    On April 16, 2012, RESPONDENT signed as broker for the landlord on the  
12 Residential Lease Agreement for 6153 Maple Oak Ave. (Ex. 582).
- 13          33.    On April 18, 2012, RESPONDENT signed as broker for the landlord on the  
14 Residential Lease Agreement for 10820 Villa Torre St. (Ex. 732).
- 15          34.    On May 1, 2012, RESPONDENT signed as broker for the landlord on the  
16 Residential Lease Agreement for 3432 Yountville Ct. (Ex. 752).
- 17          35.    On June 27, 2012, RESPONDENT signed as broker for the landlord on the  
18 Residential Lease Agreement for 4775 Summerhill Rd. (Ex. 686).
- 19          36.    On July 3, 2012, RESPONDENT signed as broker for the landlord on the  
20 Residential Lease Agreement for 9305 Liesel Ave. (Ex. 570).
- 21          37.    On July 13, 2012, RESPONDENT signed as broker for the landlord on the  
22 Residential Lease Agreement for 9222 Onesto Ave. (Ex. 606).
- 23          38.    On July 21, 2012, RESPONDENT signed as broker for the landlord on the  
24 Residential Lease Agreement for 717 Carpenter Dr. (Ex. 426).
- 25          39.    On August 27, 2012, RESPONDENT signed as broker for the landlord on the  
26 Residential Lease Agreement for 2405 W. Serene Ave., #844. (Ex. 650).

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- 1 i. 7121 Deepriver Circle (PM – 1/30/12) (RLA – 2/28/12) (Ex. 427–438)
- 2 j. 5234 Emelita St. (PM – 3/10/12) (RLA – 3/12) (Ex. 439–450)
- 3 k. 7400 W. Flamingo Rd., #1076. (PM – 11/22/11) (RLA – 1/26/12) (Ex. 451–463)
- 4 l. 10809 Garden Mist Dr., #2083. (PM – 12/29/11) (RLA – 6/1/12) (Ex. 464–476)
- 5 m. 93 Glen Park Ave. (RLA – 8/24/12) (Ex. 477–484)
- 6 n. 1063 E. Hacienda Ave. (PM – 11/5/10) (RLA – 3/4/11) (Ex. 485–496)
- 7 o. 5055 W. Hacienda, #1039. (PM – 1/24/12) (RLA – 3/3/12) (Ex. 497–508)
- 8 p. 7305 Hollywood Park Ave. (PM – 7/13/11) (RLA – 9/27/11) (Ex. 509–520)
- 9 q. 1709 Kassablan Ave. (PM – 12/1/09) (RLA – 1/20/11)(Ex. 521–533)
- 10 r. 936 Las Palomas Dr. (PM – 5/28/10) (RLA – 8/17/10) (Ex. 534–546)
- 11 s. 2700 S Las Vegas Blvd., #1501. (PM – 12/5/11) (RLA – 1/2/12) (Ex. 547–558)
- 12 t. 9305 Liesel Ave. (PM – 6/13/12) (RLA – 7/1/12) (Ex. 558–570)
- 13 u. 6153 Maple Oak Ave. (PM – 3/15/12) (RLA – 4/16/12) (Ex. 571–582)
- 14 v. 9838 Mt Oroville Court (PM – 1/10/12) (RLA – 3/1/12) (Ex. 583–594)
- 15 w. 9222 Onesto Ave. (PM – 5/21/12) (RLA – 7/13/12) (Ex. 595–606)
- 16 x. 7100 Pirates Cove Rd. (PM – 1/3/12) (RLA – 3/1/12) (Ex. 607–618)
- 17 y. 8810 Promised Land Ave. (RLA – 2/28/12) (Ex. 619–626)
- 18 z. 5000 Red Rock St., #120. (PM – 7/8/10) (RLA – 11/19/11) (Ex. 627–638)
- 19 aa. 2405 W. Serene Ave., #844. (PM – 2/3/11) (RLA – 8/27/11) (Ex. 639–650)
- 20 bb. 8756 Shady Pines Dr. (PM – 5/17/12) (RLA – 6/19/12) (Ex. 651–660)
- 21 cc. 5256 Soledad Summit Ave. (PM - 5/1/11) (RLA – 5/25/11) (Ex. 661–673)
- 22 dd. 4775 Summerhill Rd. (PM – 6/21/10) (RLA – 6/26/11) (Ex. 674–687)
- 23 ee. 11733 Tierney Creek Dr. (PM – 4/24/09) (RLA – 12/1/10) (Ex. 688–717)
- 24 ff. 5909 Trickling Descent St., #101. (PM – 2/1/12) (Ex. 718–721)
- 25 gg. 10820 Villa Torre St. (PM – 10/4/11) (RLA - 4/12/12) (Ex. 722–732)
- 26 hh. 10820 Villa Torre St. (RLA - 10/10/11) (Ex. 733–740)
- 27 ii. 3432 Yountville Ct. (PM – 4/19/12) (RLA – 5/1/12) (Ex. 741–752)
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1 10. RESPONDENT violated NAC 645.605(11)(a) and (b) by failing to respond to the  
2 allegations in the complaint and provide information regarding the properties that she  
3 managed when requested by the Division.

4 11. RESPONDENT violated NRS 645.630(1)(f) by failing to return the rent, security deposit  
5 and other funds to the homeowner and/or renter pursuant to contract and state law.

6 12. RESPONDENT violated NRS 645.230 and NRS 645.235 by conducting unlicensed  
7 activity following the inactivation of her salesperson's license and property  
8 management permit.

9 **ORDER**

10 IT IS HEREBY ORDERED that:

11 1. RESPONDENT shall pay to the Division a total fine of \$500,496.03. The total  
12 fine reflects a fine of \$500,000 for committing the above violations of law plus \$496.03 for fees  
13 and costs. Respondent shall pay the total fine to the Division within thirty (30) days of the  
14 effective date of this Order.

15 2. RESPONDENT's real estate salesperson license no. S.0167549 and property  
16 management permit with the Division are hereby REVOKED.

17 3. The Division may institute debt collection proceedings for failure to timely pay  
18 the total fine.

19 4. The Commission retains jurisdiction for correcting any errors that may have  
20 occurred in the drafting or issuance of this Order.

21 This Order shall become effective on the 17<sup>th</sup> day of JUNE, 2016.

22 DATED this 12<sup>th</sup> day of MAY, 2016.

23  
24 NEVADA REAL ESTATE COMMISSION

25 By:   
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