

AUG 01 2016

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

REAL ESTATE COMMISSION
BY *John R. ...*

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

Case No. RES 14-03-49-669

Petitioner,

vs.

DECISION

CARINE JAKUBCZACK,

Respondent.

This matter came on for hearing before the Nevada Real Estate Commission, State of Nevada ("Commission") on Wednesday, July 13, 2016, at the Grant Sawyer Building, 555 East Washington Avenue, Room 4412, Las Vegas, Nevada. Respondent Carine Jakubczack ("RESPONDENT") did not appear. Licensee Boris Jakubczack appeared and testified under oath at the hearing on RESPONDENT's behalf. Keith E. Kizer, Deputy Attorney General, appeared and prosecuted the Complaint on behalf of petitioner Joseph R. Decker, Administrator of the Real Estate Division, Department of Business & Industry, State of Nevada ("Division").

The matter having been submitted for decision based upon the allegations of the Complaint, the Commission now enters its Findings of Fact and Conclusions of Law as follows:

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:

1. RESPONDENT has been licensed as a real estate salesperson, license number S.0171226, since December 16, 2011, and as a property manager, license number PM.0165190, since January 3, 2012.

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1 2. At all times relevant to the Complaint, RESPONDENT was associated with
2 broker Ariana Popescu ("Popescu") at Ameropan Realty and Property Management
3 ("Ameropan Realty").

4 3. Boris Jakubczack ("Boris") has been licensed by the Division as a real estate
5 salesperson, license number S.0171381, since February 6, 2012.

6 4. At all times relevant to the Complaint, Boris was also associated with Popescu at
7 Ameropan Realty.

8 5. RESPONDENT and Boris are the managers of Carbor Ltd.

9 6. Boris is the manager of Home Deco, LLC, a/k/a Home Deco Ltd. ("Home Deco").

10 7. On or about March 27, 2013, Carol Jacques ("Jacques") paid \$1,200 to
11 RESPONDENT and Boris to establish CLI Invest LLC, and three other limited liability
12 companies, for Jacques.

13 8. At or around that same time, RESPONDENT and Boris convinced Jacques to
14 give \$57,000 to them for the purchase of 6800 East Lake Mead Blvd., Unit #2022, Las Vegas,
15 Nevada ("Unit 2022"), in the name of CLI Invest LLC.

16 9. At or around that same time, RESPONDENT and Boris told Jacques that she
17 would be able to "flip" Unit 2022 for a profit.

18 10. Unbeknownst to Jacques, RESPONDENT and Boris, through Carbor Ltd., had
19 just purchased Unit 2022 on or about March 12, 2013.

20 11. RESPONDENT and Boris did not put the title to Unit 2022 into CLI Invest LLC's
21 name until or about September 5, 2013.

22 12. Jacques was informed that CLI Invest LLC's purchase price of Unit 2022 was
23 only \$51,422.67.

24 13. When Jacques inquired about her remaining money, she learned that
25 RESPONDENT paid herself an extra \$1,890 in salesperson commission.

26 14. RESPONDENT did not have authorization from Jacques to take that extra
27 compensation.

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1 15. RESPONDENT billed Jacques \$5,077 for alleged property repairs made by
2 Home Deco to Unit 2022.

3 16. RESPONDENT did not have authorization from Jacques to make those repairs.

4 17. RESPONDENT did not inform Jacques that Boris had an interest in Home Deco.

5 18. Home Deco is not licensed to perform air conditioning repair, but
6 RESPONDENT charged Jacques \$850 for Home Deco's alleged repair to Unit 2022's air
7 conditioning unit.

8 19. RESPONDENT and Boris have not accounted for the remaining \$500 of
9 Jacques's \$57,000 expenditure.

10 20. On or about March 6, 2014, Jacques filed a Statement of Fact with the Division,
11 complaining about RESPONDENT's conduct.

12 21. On or about March 21, 2013, Robert Morin-Larochette ("Mr. Larochette") paid
13 \$950 to RESPONDENT and Boris to establish Pool'n'Care LLC for Mr. Larochette.

14 22. On or about that same day, Mr. Larochette gave \$63,000 to RESPONDENT and
15 Boris for the purchase 6800 East Lake Mead Blvd., Unit #1065, Las Vegas, Nevada ("Unit
16 1065") in the name of Pool'n'Care LLC.

17 23. Unbeknownst to Mr. Larochette, RESPONDENT and Boris instead purchased
18 Unit 1065 in the name of Carbor Ltd. on or about April 15, 2013.

19 24. RESPONDENT and Boris paid only \$55,000 for their April 15, 2013 purchase of
20 Unit 1065.

21 25. RESPONDENT paid herself an extra \$2,440 in salesperson commission.

22 26. RESPONDENT did not have authorization from Mr. Larochette to take that extra
23 compensation.

24 27. RESPONDENT billed Mr. Larochette \$3,401 for alleged property repairs made
25 by Home Deco to Unit 1065.

26 28. RESPONDENT did not have authorization from Mr. Larochette to make those
27 repairs.

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1 29. RESPONDENT did not inform Mr. Larochette that Boris had an interest in Home
2 Deco.

3 30. RESPONDENT and Boris did not put the title to Unit 1065 into Pool'n'Care
4 LLC's name until or about December 12, 2013.

5 31. During the time Carbor Ltd. owned Unit 1065, RESPONDENT and Boris paid for
6 repairs and utilities at that property from Mr. Larochette's bank account, without permission
7 from Mr. Larochette.

8 32. On or about February 17, 2014, Mr. Larochette filed a Statement of Fact with the
9 Division, complaining about RESPONDENT's conduct.

10 33. On or about February 23, 2013, Christiany Bray ("Bray") paid \$950 to
11 RESPONDENT and Boris to establish CHB Vegas LLC for Bray.

12 34. On or about that same day, RESPONDENT and Boris told Bray that they could
13 help Bray purchase a condominium that could be rented at a profit.

14 35. On or about that same day, Bray gave \$1,500 to RESPONDENT and Boris as
15 earnest money for the purchase of 4516 West Lake Mead Blvd., Unit #101, Las Vegas,
16 Nevada ("Lake Mead Unit 101") in the name of CHB Vegas LLC.

17 36. On or about April 5, 2013, Bray gave \$47,210 to RESPONDENT and Boris to
18 complete the purchase of Lake Mead Unit 101 in the name of CHB Vegas LLC.

19 37. RESPONDENT and Boris never effectuated the purchase of Lake Mead Unit
20 101 for CHB Vegas LLC or Bray.

21 38. Despite requests from Bray, RESPONDENT and Boris failed to return Bray's
22 money.

23 39. Instead, on or about August 26, 2013, RESPONDENT and Boris informed Bray
24 that they had purchased 3969 Rebecca Raiter, Unit #101, Las Vegas, Nevada ("Rebecca
25 Raiter Unit 101") in the name of CHB Vegas LLC.

26 40. Unbeknownst to Bray, RESPONDENT and Boris, through Carbor Ltd., had
27 owned Rebecca Raiter Unit 101 since January 24, 2013.

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1 41. RESPONDENT and Boris did not put the title to Rebecca Raiter Unit 101 into
2 CHB Vegas LLC's name until or about December 12, 2013.

3 42. When RESPONDENT and Boris purchased Rebecca Raiter Unit 101 on behalf
4 of CHB Vegas, LLC, the purchase price was only \$39,000.

5 43. With respect to remaining money received from Bray, RESPONDENT billed
6 CHB Vegas LLC for alleged property repairs made by Home Deco to Rebecca Raiter Unit
7 101.

8 44. RESPONDENT did not have authorization from Bray to make those repairs.

9 45. RESPONDENT did not inform Bray that Boris had an interest in Home Deco.

10 46. On or May 5, 2014, CHB Vegas LLC filed a Statement of Fact with the Division,
11 complaining about RESPONDENT's conduct.

12 47. Claudine Morin-Larochette ("Ms. Larochette") and Philippe Barbot ("Barbot") own
13 BML Purple Shadow 7, LLC ("BML").

14 48. In or about December 2012, RESPONDENT and Boris contacted Ms. Larochette
15 and Barbot and told them that they (RESPONDENT and Boris) could buy real estate
16 properties on behalf of BML, and then sell them for a profit.

17 49. On or about March 21, 2013, Ms. Larochette and Barbot sent \$62,000 to
18 RESPONDENT and Boris for the purchase of 517 Indian Bluff, Unit #202, Las Vegas, Nevada
19 ("Unit 202") in the name of BML.

20 50. RESPONDENT and Boris told Ms. Larochette and Barbot that Unit 202 could
21 "flipped" for \$72,900.

22 51. Unbeknownst to Ms. Larochette and Barbot, RESPONDENT and Boris instead
23 purchased Unit 202 in the name of Carbor Ltd. on or about March 25, 2013.

24 52. RESPONDENT and Boris did not put the title to Unit 202 into BML's name until
25 or about May 8, 2013.

26 53. On or about July 8, 2013, Ms. Larochette and Barbot gave \$70,844 to
27 RESPONDENT and Boris to purchase 4555 East Sahara Avenue, Unit #209, Las Vegas,
28 Nevada ("Unit 209"), in the name of BML.

1 54. Unbeknownst to Ms. Larochette and Barbot, Carbor Ltd. had just bought Unit
2 209 on or about June 25, 2013.

3 55. In or about October 2013, Ms. Larochette and Barbot came to Las Vegas and
4 RESPONDENT and Boris gave them an unrecorded deed in the name of BML for Unit 209.

5 56. On or about January 31, 2014, RESPONDENT and Boris finally transferred title
6 to Unit 209 to BML.

7 57. Ms. Larochette and Barbot also own Hair Management LLC.

8 58. On or about March 27, 2013, Ms. Larochette and Barbot gave \$37,500 to
9 RESPONDENT and Boris for the purchase of 6800 East Lake Mead Blvd., Unit #1051, Las
10 Vegas, Nevada ("Unit 1051"), in the name of Hair Management LLC.

11 59. Unbeknownst to Ms. Larochette and Barbot, RESPONDENT and Boris instead
12 purchased Unit 1051 in the name of Carbor Ltd. on or about April 8, 2013.

13 60. RESPONDENT and Boris did not put the title to Unit 1051 into Hair Management
14 LLC's name until or about June 27, 2013.

15 61. Without approval from Ms. Larochette and Barbot, Boris made himself the
16 managing member of Hair Management LLC on or about July 2, 2013.

17 62. On or about July 3, 2013, RESPONDENT and Boris sold Unit 1051 to a third
18 party without authorization from Ms. Larochette and Barbot.

19 63. Without permission from Ms. Larochette and Barbot, RESPONDENT paid
20 herself an extra \$2,310 in broker fees or salesperson commission.

21 64. On or May 5, 2014, Ms. Larochette and Barbot filed a Statement of Fact with the
22 Division, complaining about RESPONDENT's conduct.

23 65. In or about August 2012, RESPONDENT and Boris convinced Magalie Simon
24 ("Simon") to purchase 6800 East Lake Mead Blvd., Unit #2127, Las Vegas, Nevada ("Unit
25 2127").

26 66. Simon paid RESPONDENT and Boris to establish DMS US LLC for Simon's
27 planned purchase of Unit 2127.

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