

BEFORE THE REAL ESTATE COMMISSION

FILED

STATE OF NEVADA

NOV 03 2016

SHARATH CHANDRA, Administrator,
REAL ESTATE DIVISION, DEPARTMENT
OF BUSINESS & INDUSTRY,
STATE OF NEVADA,

Case No. 2016-1473

REAL ESTATE COMMISSION
BY *[Signature]*

Petitioner,

vs.

JAMES REESE,

Respondent.

**ACTION FOR ORDER CONFIRMING ADMINISTRATIVE FINE
AND NOTICE OF HEARING**

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 Donald J. Bordelove, Deputy Attorney General, hereby notifies RESPONDENT JAMES REESE ("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 NAC 645.695 and/or NRS 622.400.

POINTS AND AUTHORITIES

RESPONDENT was licensed as a Broker Salesperson, license number BS.1000761, and as a Property Manager, permit number PM.0165274, both of which expired on February 29, 2016. On or about March 21, 2016 the Administrator of the Real Estate Division issued RESPONDENT a Notice of Violation with the Imposition of Administrative Fine in the amount of \$500.00 for a violation of NRS 645.633(1)(h) pursuant to NAC 645.605(11)(a) for failing to comply or delaying his compliance with a

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1 request by the Division to provide documents. The Notice of Violation with Imposition of
2 Administrative Fine was properly served upon RESPONDENT. Exhibit A.

3 The Notice of Violation and accompanying letter from the Division advised that the fine must
4 be remitted to the Division by April 21, 2016. The Notice of Violation and accompanying letter
5 contained notice to the RESPONDENT advising RESPONDENT of his appeal rights if he disagreed
6 with the finding of violation and/or imposition of the fine. *Id.* RESPONDENT did not appeal and did
7 not request a hearing prior to April 21, 2016. As such, RESPONDENT was required to pay the fine
8 imposed in the amount of \$500.00 by the proscribed date of April 21, 2016.

9 RESPONDENT failed to pay the fine by April 21, 2016. To date, RESPONDENT has failed to
10 pay the administrative fine. The Division requests an order requiring the payment of the properly
11 imposed administrative fine and that RESPONDENT's license be revoked or suspended until paid.

12 NOTICE OF HEARING

13 PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider the
14 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and
15 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

16 THE HEARING WILL TAKE PLACE on December 5, 2016 commencing at 1:00 p.m., or
17 as soon thereafter as the Commission is able to hear the matter, and each day thereafter
18 commencing at 9:00 a.m. through December 7, 2016, or earlier if the business of the Commission
19 is concluded. The Commission meeting will be held on December 5, 2016, at the Grant Sawyer
20 Building, Gaming Control Board, 555 East Washington Avenue, Room 2450, Las Vegas, Nevada
21 89101. The meeting will continue on December 6, 2016 at the Nevada Department of
22 Employment Training and Rehabilitation, 2800 East St. Louis Avenue, Conference Room A-C,
23 Las Vegas, NV 89104, commencing at 9:00 a.m., and on December 7, 2016, should business not be
24 concluded, starting at 9:00 a.m. at the Nevada Department of Employment Training and
25 Rehabilitation, 2800 East St. Louis Avenue, Conference Room A-C, Las Vegas, NV 89104.

26 STACKED CALENDAR: Your hearing is one of several hearings scheduled at the same
27 time as part of a regular meeting of the Commission that is expected to last from December 5
28 through December 7, 2016, or earlier if the business of the Commission is concluded. Thus, your

1 hearing may be continued until later in the day or from day to day. It is your responsibility to be
2 present when your case is called. If you are not present when your hearing is called, a default
3 may be entered against you and the Commission may decide the case as if all allegations in the
4 complaint were true. If you have any questions please call Rebecca Hardin, Commission
5 Coordinator (702) 486-4074.

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

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

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

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

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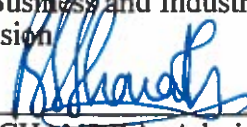
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1 presented and to further determine what administrative penalty is to be assessed against the
2 RESPONDENT, if any, pursuant to NRS 645.235, 645.633 and or 645.630.

3 DATED this 3rd day of November, 2016.

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

7 By: 
8 SHARATH CHANDRA, Administrator
9 2501 East Sahara Avenue
10 Las Vegas, Nevada 89104-4137
11 (702) 486-4033

12 ADAM PAUL LAXALT
13 Attorney General

14 By: 
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