

**FILED**

FEB 11 2016

REAL ESTATE COMMISSION  
*Kizer*

**BEFORE THE REAL ESTATE COMMISSION**

**STATE OF NEVADA**

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

**Case No. RES 13-06-06-345**

Petitioner,

vs.

**COMPLAINT AND NOTICE OF HEARING**

YERANUHI (ANNA) ARAKELYAN,

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 YERANUHI (ANNA) ARAKELYAN ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION ("COMMISSION") which 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 was at all relevant times mentioned in this Complaint licensed by the Division as a Salesperson under license number S.0169459, and as a Property Manager under license number PM.0165220, 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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Attorney General's Office  
555 E. Washington, Suite 3900  
Las Vegas, NV 89101

**FACTUAL ALLEGATIONS**

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2           1.     RESPONDENT was licensed by the Division as a Salesperson under license  
3 number S.0169459, from May 13, 2010, to September 3, 2015, and as a Property Manager  
4 under license number PM.0165220, from March 1, 2012, to September 3, 2015.

5           2.     RESPONDENT has been licensed by the Division as a Broker under license  
6 number B.1001640.LLC, and as a Property Manager under license number  
7 PM.0165220.BKR, since September 3, 2015, and is currently in active status.

8           3.     At all times relevant to this Complaint, RESPONDENT was associated with  
9 Powerhouse Platinum Realty Corporation ("Powerhouse").

10 **KLEIN**

11           4.     Joseph and Stephanie Klein were the owners of rental real property at 10437  
12 Britton Hill Avenue, Las Vegas, Nevada ("Klein Property") at all times relevant to this  
13 Complaint.

14           5.     RESPONDENT acted as the property manager of the Klein Property on behalf of  
15 Powerhouse at all times relevant to this Complaint.

16           6.     On or about May 3, 2013, RESPONDENT received the May 2013 rent (\$1,350)  
17 for the Klein Property.

18           7.     On or about May 9, 2013, the Kleins demanded that RESPONDENT forward to  
19 them the security deposit (\$1,990), Owner's Reserve Fund (\$250), April 2013 rent (\$1,350)  
20 and May 2013 rent (\$1,350) for the Klein Property.

21           8.     RESPONDENT failed to remit those monies (a total of \$4,940) to the Kleins  
22 within a reasonable time.

23           9.     On or about June 3, 2013, RESPONDENT received the June 2013 rent (\$1,350)  
24 for the Klein Property.

25           10.    On or about June 8, 2013, the Kleins demanded that RESPONDENT forward to  
26 them the security deposit (\$1,990), Owner's Reserve Fund (\$250), April 2013 rent (\$1,350),  
27 May 2013 rent (\$1,350) and June 2013 rent (\$1,350) for the Klein Property.

28 . . .

1 11. RESPONDENT failed to remit those monies (a total of \$6,290) to the Kleins  
2 within a reasonable time.

3 12. On or about June 10, 2013, Stephanie Klein filed a Statement of Fact with the  
4 Division complaining about RESPONDENT's conduct.

5 13. On or about June 24, 2013, Stephanie Klein filed another Statement of Fact with  
6 the Division complaining about RESPONDENT's conduct.

7 14. On or about October 21, 2013, Joseph and Stephanie Klein filed a Statement of  
8 Fact with the Division complaining about RESPONDENT's conduct.

9 **DIEC**

10 15. Suong Diec was the owner of seven rental real properties in Nevada ("Diec  
11 Properties") at all times relevant to this Complaint.

12 16. The rental properties at 4109 Swept Plains Street, Las Vegas, Nevada, and 6335  
13 Rubylyn Avenue, Las Vegas, Nevada, are two of the Diec Properties.

14 17. On or about March 7, 2013, Diec transferred his property management  
15 agreements for the Diec Properties to Shelter Realty.

16 18. The Diec Properties were not listed on their prior property management  
17 company's asset list purchased by Powerhouse.

18 19. In late May 2013, Joan McCraw was the tenant of the Swept Plains property.

19 20. Shelter Realty placed McCraw into the Swept Plains property.

20 21. On or about May 31, 2013, RESPONDENT demanded that McCraw send her  
21 rental payments to RESPONDENT, or RESPONDENT would evict McCraw from the Swept  
22 Plains property.

23 22. On or about June 5, 2013, RESPONDENT told the Rubylyn Avenue tenant to  
24 send his rent to RESPONDENT.

25 23. The Rubylyn Avenue tenant then sent his rental payment to Powerhouse.

26 24. On or about June 7, 2013, Diec filed a Statement of Fact with the Division  
27 complaining about RESPONDENT's conduct.

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1 **WAKLEY**

2 25. Esther Jean Wakley was the owner of rental real properties at 220 Friendly Court,  
3 Henderson, Nevada, and 2700 North Rainbow Boulevard, #1004, Las Vegas, Nevada  
4 (collectively, the "Wakley Properties"), at all times relevant to this Complaint.

5 26. On or about March 11, 2013, Wakley transferred her property management  
6 agreements for the Wakley Properties to Terra West Management Services.

7 27. The Wakley Properties were not listed on their prior property management  
8 company's asset list purchased by Powerhouse.

9 28. Terra West Management Services remitted the April and May 2013 rents for the  
10 Wakley Properties to Wakley.

11 29. Thereafter, RESPONDENT sent a letter to the Wakley Property tenants  
12 threatening them with a Default if they did not pay their rent to Powerhouse.

13 30. The Wakley Property tenants then sent their rental payments to Powerhouse.

14 31. RESPONDENT did not forward those rental payments to Wakley.

15 32. On or about June 21, 2013, Wakley filed a Statement of Fact with the Division  
16 complaining about RESPONDENT's conduct.

17 **VIOLATIONS**

18 RESPONDENT has committed the following violations of law:

19 33. RESPONDENT violated NRS 645.630(1)(f) *on three (3) occasions* by failing,  
20 within a reasonable time, to account for or to remit money which came into her possession  
21 and which belonged to others.

22 34. RESPONDENT violated NRS 645.635(2) *on four (4) occasions* by negotiating a  
23 sale, exchange or lease of real estate, or communicating after such negotiations but before  
24 closing, directly with a client although she knew that the client had a brokerage agreement in  
25 force in connection with the property granting an exclusive agency, including, without  
26 limitation, an exclusive right to sell to another broker, without obtaining permission in writing  
27 from the other broker.

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**DISCIPLINE AUTHORIZED**

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2 35. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to  
3 impose an administrative fine of up to \$10,000 per violation against RESPONDENT and  
4 further to suspend, revoke or place conditions on the license of RESPONDENT.

5 36. Additionally, under NRS Chapter 622, the Commission is authorized to impose  
6 costs of the proceeding upon RESPONDENT, including investigative costs and attorney's  
7 fees, if the Commission otherwise imposes discipline on RESPONDENT.

8 37. Therefore, the Division requests that the Commission take such disciplinary  
9 action as it deems appropriate under the circumstances.

10 **NOTICE OF HEARING**

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

15 **THE HEARING WILL TAKE PLACE on March 15, 2016 commencing at 9:00 a.m.,**  
16 **or as soon thereafter as the Commission is able to hear the matter, and each day**  
17 **thereafter commencing at 9:00 a.m. through March 17, 2016, or earlier if the business of**  
18 **the Commission is concluded. The Commission meeting will be held on March 15,**  
19 **2016 at the Grant Sawyer Building, 555 East Washington Avenue, Room 4412, Las**  
20 **Vegas, Nevada 89101. The meeting will continue on March 16, 2016 at the Grant**  
21 **Sawyer Building, 555 East Washington Avenue, Room 4401, Las Vegas, Nevada 89101,**  
22 **commencing at 9:00 a.m., and on March 17, 2016, should business not be concluded,**  
23 **starting at 9:00 a.m. at the Grant Sawyer Building, 555 East Washington Avenue, Room**  
24 **4412, Las Vegas, Nevada 89101.**

25 **STACKED CALENDAR: Your hearing is one of several hearings scheduled at the**  
26 **same time as part of a regular meeting of the Commission that is expected to last from**  
27 **March 15 through March 17, 2016, or earlier if the business of the Commission is**  
28 **concluded. Thus, your hearing may be continued until later in the day or from day to**

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

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

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

19 You have the right to request that the Commission issue subpoenas to compel  
20 witnesses to testify and/or evidence to be offered on your behalf. In making the request, you  
21 may be required to demonstrate the relevance of the witness' testimony and/or evidence.  
22 Other important rights you have are listed in NRS 645.680 through 645.990, NRS Chapter  
23 233B, and NAC 645.810 through 645.920.

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

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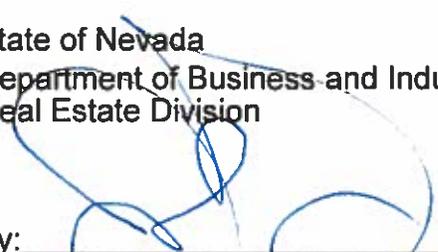
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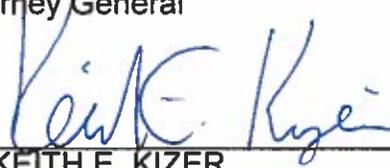
1 evidence presented and to further determine what administrative penalty, if any, is to be  
2 assessed against the Respondent, pursuant to NRS 645.235, 645.633 and/or 645.630.

3 DATED this 11 day of February, 2016.

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

7 By:   
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