

FILED

JUN 09 2016

REAL ESTATE COMMISSION
BY *Robert Hech*

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 14-08-08-048

Petitioner,

vs.

COMPLAINT AND NOTICE OF HEARING

JACQUELINE EVANS,

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 Donald J. Bordelove, Deputy Attorney General, hereby notifies RESPONDENT JACQUELINE EVANS ("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 RESPONDENT should be subject to an administrative penalty as set forth in NRS 645.230 and/or NRS 645.235 and/or 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 engaged in activities which require a license as a real estate broker, real estate broker-salesperson, or real estate salesperson, and a permit to engage in property management, issued by the Division and is, therefore, subject to the jurisdiction of the Division and the provisions of NRS and NAC 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. In or about February 2013, RESPONDENT became an assistant to a licensed
3 real estate agent, Shannon Dehelean ("Dehelean") at Homewood Assets Management
4 ("Homewood"). Thereafter, Dehelean moved her license to Elite Realty ("Elite") and Dehelean
5 took RESPONDENT with her to Elite.

6 2. On or about March 1, 2013, RESPONDENT opened three (3) bank accounts
7 with JP Morgan Chase Bank under the name Jacqueline L Evans dba J & S Realty and
8 Property Management. RESPONDENT was the only signer on those accounts.

9 3. J & S Realty and Property Management is not a company that is licensed with
10 the Division.

11 4. On or about June 28, 2013, RESPONDENT was issued a business license for J
12 & S Elite Realty & Property Management.

13 5. Under Account ending in 3150, RESPONDENT deposited \$27,349 that could be
14 identified as rents or security deposit funds or transfer payments under the name Jacqueline L
15 Evans dba J&S Realty & Property Management.

16 6. Under Account ending in 3839, RESPONDENT deposited \$68,635.92 that could
17 be identified as rent, security deposit funds, or transfer payments under the name Jacqueline
18 L Evans dba J&S Realty and Property Management.

19 7. Under Account ending in 1937, RESPONDENT deposited \$725 that could be
20 identified as funds for an application fee, transfer from one agency to Elite and what appears
21 to be a refund to a client into this account identified as her personal account.

22 8. Under Account ending in 6140, RESPONDENT deposited \$1,925 that is
23 identified as funds for a security deposit and a check she wrote to herself from Apple
24 Blossom, another entity she was working for as the manager of the leasing entities, into an
25 account identified as Jacqueline Evans dba QT services.

26 9. RESPONDENT performed property management services by collecting rents,
27 sending proceeds to the owners, and receiving compensation for those services and, by her
28 own admission, signed a lease agreement with someone else's signature.

DISCIPLINE AUTHORIZED

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2 1. Pursuant to NRS 645.235, the Commission is empowered to impose an
3 administrative fine in an amount not to exceed the amount of gain or economic benefit that the
4 person derived from the violation or \$5,000, whichever amount is greater, against
5 RESPONDENT for each violation of NRS 645.230.

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

9 3. Therefore, the DIVISION requests that the Commission take such disciplinary
10 action as it deems appropriate under the circumstances.

11 **NOTICE OF HEARING**

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

16 **THE HEARING WILL TAKE PLACE on July 12, 2016 commencing at 9:00 a.m., or**
17 **as soon thereafter as the Commission is able to hear the matter, and each day**
18 **thereafter commencing at 9:00 a.m. through July 14, 2016, or earlier if the business of**
19 **the Commission is concluded. The Commission meeting will be held on July 12, 2016**
20 **at the Grant Sawyer Building, 555 East Washington Avenue, Room 4412, Las Vegas,**
21 **Nevada 89101. The meeting will continue on July 13, 2016 at the Grant Sawyer**
22 **Building, 555 East Washington Avenue, Room 4412, Las Vegas, Nevada 89101,**
23 **commencing at 9:00 a.m., and on July 14, 2016, should business not be concluded,**
24 **starting at 9:00 a.m. at the Grant Sawyer Building, 555 East Washington Avenue, Room**
25 **4412, Las Vegas, Nevada 89101.**

26 **STACKED CALENDAR: Your hearing is one of several hearings scheduled at the**
27 **same time as part of a regular meeting of the Commission that is expected to last from**
28 **July 12 through July 14, 2016, or earlier if the business of the Commission is**

1 concluded. Thus, your hearing may be continued until later in the day or from day to
2 day. It is your responsibility to be present when your case is called. If you are not
3 present when your hearing is called, a default may be entered against you and the
4 Commission may decide the case as if all allegations in the complaint were true. If you
5 have any questions please call Rebecca Hardin, Commission Coordinator (702) 486-
6 4074.

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

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

20 You have the right to request that the Commission issue subpoenas to compel
21 witnesses to testify and/or evidence to be offered on your behalf. In making the request, you
22 may be required to demonstrate the relevance of the witness' testimony and/or evidence.
23 Other important rights you have are listed in NRS 645.680 through 645.990, NRS Chapter
24 233B, and NAC 645.810 through 645.875.

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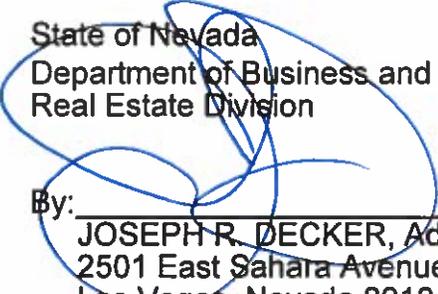
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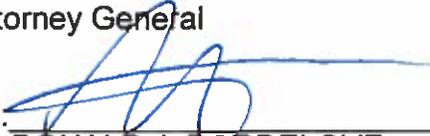
1 The purpose of the hearing is to determine if the Respondent has violated NRS 645
2 and/or NAC 645 and if the allegations contained herein are substantially proven by the
3 evidence presented and to further determine what administrative penalty is to be assessed
4 against the Respondent, if any, pursuant to NRS 645.235, 645.633 and or 645.630.

5 DATED this 9 day of June, 2016.

6 State of Nevada
7 Department of Business and Industry
8 Real Estate Division

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