

NOV 13 2015

BEFORE THE REAL ESTATE COMMISSION

REAL ESTATE COMMISSION
BY *Richard J. ...*

STATE OF NEVADA

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

Case No. RES 14-10-23-136

Petitioner,

vs.

COMPLAINT AND NOTICE OF HEARING

CHRISTINE (CHRISSIE) FRASER,

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 CHRISTINE (CHRISSIE) FRASER ("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 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.0172695 and/or as a property manager under license number PM.0165722, and is therefore subject to the jurisdiction of the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 645.

...

...

...

FACTUAL ALLEGATIONS

1
2 1. RESPONDENT has been licensed by the Division as a salesperson under
3 license number S.0172695 since February 27, 2013, and as a property manager under
4 license number PM.0165722 since April 23, 2013, and is in active status.

5 2. Frederick Brillman ("Brilman") has been licensed by the Division as a
6 salesperson under license number S.0169653 since July 7, 2010.

7 3. RESPONDENT and Brillman married on or about October 6, 2005.

8 4. At all times relevant to the Complaint, RESPONDENT was a Manager of Crown
9 Investments Nevada LLC ("Crown").

10 5. At all times relevant to the Complaint, Brillman was a Manager and the
11 Registered Agent of Crown.

12 6. At all times relevant to the Complaint, RESPONDENT and Brillman were the only
13 two officers of Pacific Shores 1989, Inc.

14 7. Between February 27, 2013 and March 11, 2013, RESPONDENT worked as a
15 Salesperson for Keller Williams Realty.

16 8. Between March 11, 2013 and May 14, 2014, RESPONDENT worked as a
17 Salesperson and/or a Property Manager for North American Realty of Nevada ("NARN").

18 9. Between July 7, 2010 and April 29, 2013, Brillman worked as a Salesperson for
19 ZipRealty Inc.

20 10. Between April 29, 2013 and May 14, 2014, Brillman worked as a Salesperson for
21 NARN.

22 **Blairgowrie Drive Property**

23 11. On or about January 9, 2013, RESPONDENT as grantor, and Brillman as
24 trustee, executed an Irrevocable Trust Agreement that transferred ownership of the real
25 property at 2638 Blairgowrie Drive, Henderson, Nevada, from owner Erick Vertucci
26 ("Vertucci") to Crown.

27 12. On or about January 11, 2013, Brillman had Vertucci transfer the Blairgowrie
28 property to Crown as trustee for the 2638 Blairgowrie Drive Trust.

1 13. On or about January 14, 2013, Brilman, as the broker's designated licensee,
2 executed an Exclusive Authorization and Right to Sell, Exchange or Lease Brokerage Listing
3 Agreement with RESPONDENT, as the 2638 Blairgowrie Drive Trustee, for the Blairgowrie
4 property.

5 14. Thereafter, RESPONDENT and Brilman caused the Blairgowrie property to be
6 leased for their benefit.

7 15. The leasing of the Blairgowrie property generated approximately \$9,150.00 in
8 rent.

9 16. On or about October 11, 2013, RESPONDENT and Brilman executed a
10 quitclaim deed transferring the Blairgowrie property back to Vertucci.

11 17. On or about February 11, 2014, Federal Home Loan Mortgage Corporation took
12 title to the Blairgowrie property via a trustee's deed upon sale.

13 18. By way of a letter dated September 5, 2014, the Division requested that
14 RESPONDENT and Brilman, through their attorney, provide the Division with a copy of the
15 management and lease agreement for the Blairgowrie property, and the trust agreement
16 between Crown and the Blairgowrie property owner.

17 19. RESPONDENT refused to provide the Division with a copy of those agreements.

18 **Iona Island Property**

19 20. On or about December 6, 2012, Brilman, as grantor and as trustee, executed an
20 Irrevocable Trust Agreement that transferred ownership of the real property at 10715 Iona
21 Island Avenue, Las Vegas, Nevada, from owner Michael Braganza ("Braganza") to Crown.

22 21. On or about December 12, 2012, Brilman, as the broker's designated licensee,
23 executed an Exclusive Authorization and Right to Sell, Exchange or Lease Brokerage Listing
24 Agreement with RESPONDENT, as Crown, for the Iona Island property.

25 22. On or about December 17, 2012, Brilman had Braganza transfer the Iona Island
26 property to Crown as trustee for the 10715 Iona Island Avenue Trust.

27 23. Thereafter, RESPONDENT and Brilman caused the Iona Island property to be
28 leased for their benefit.

1 24. The leasing of the Iona Island property generated approximately \$20,175.00 in
2 rent.

3 25. On or about December 26, 2013, RESPONDENT and Brilman executed a
4 quitclaim deed transferring the Iona Island property back to Braganza.

5 26. By way of a letter dated September 5, 2014, the Division requested that
6 RESPONDENT and Brilman, through their attorney, provide the Division with a copy of a trust
7 agreement between Crown and the Iona Island property owner.

8 27. RESPONDENT refused to provide the Division with a copy of that trust
9 agreement.

10 **Morning Skyline Property**

11 28. On or about August 21, 2012, Brilman had owners Emilio B. Braganza and Ping
12 C. Braganza (collectively referred to herein as the "Braganzas") transfer the real property at
13 1257 Morning Skyline Court, Henderson, Nevada, to Crown as trustee for the 1257 Morning
14 Skyline Court Trust.

15 29. Thereafter, RESPONDENT and Brilman caused the Morning Skyline property to
16 be leased for their benefit.

17 30. The leasing of the Morning Skyline property generated approximately
18 \$19,760.00 in rent.

19 31. On or about July 22, 2013, RESPONDENT and Brilman executed a deed
20 transferring the Morning Skyline property back to the Braganzas.

21 32. On that same day, the Braganzas executed a deed transferring the Morning
22 Skyline property to Ryan Lee.

23 33. By way of a letter dated September 5, 2014, the Division requested that
24 RESPONDENT and Brilman, through their attorney, provide the Division with a copy of the
25 trust agreement between Crown and the Morning Skyline property owners.

26 34. RESPONDENT refused to provide the Division with a copy of that trust
27 agreement.

28 . . .

1 **Shannon Cove Property**

2 35. On or about September 19, 2012, RESPONDENT as grantor, and Brilman as
3 trustee, executed an Irrevocable Trust Agreement that transferred ownership of the real
4 property at 2836 Shannon Cove Drive, Henderson, Nevada, from owner Judith Howell
5 ("Howell") to Crown as trustee for the 2836 Shannon Cove Drive Trust.

6 36. On or about September 19, 2012, RESPONDENT and Brilman had Howell
7 transfer the Shannon Cove property to Crown as trustee for the 2836 Shannon Cove Dr.
8 Trust.

9 37. On or about September 20, 2012, Brilman, as the broker's designated licensee,
10 executed an Exclusive Authorization and Right to Sell, Exchange or Lease Brokerage Listing
11 Agreement with Howell for the Shannon Cove property.

12 38. On or about that same day, Brilman, as the broker's designated licensee,
13 executed an Exclusive Authorization and Right to Sell, Exchange or Lease Brokerage Listing
14 Agreement with RESPONDENT, as Crown, for the Shannon Cove property.

15 39. Thereafter, RESPONDENT and Brilman caused the Shannon Cove property to
16 be leased for their benefit.

17 40. The leasing of the Shannon Cove property generated approximately \$16,965.00
18 in rent.

19 41. On or about November 14, 2013, RESPONDENT and Brilman executed a deed
20 transferring the Shannon Cove property back to Howell.

21 42. By way of a letter dated September 5, 2014, the Division requested that
22 RESPONDENT and Brilman, through their attorney, provide the Division with a copy of the
23 management and lease agreement for the Shannon Cove property, and the trust agreement
24 between Crown and the Shannon Cove property owner.

25 43. RESPONDENT refused to provide the Division with a copy of those agreements.

26 ...

27 ...

28 ...

1 **Willow Pines Property**

2 44. On or about March 8, 2013, RESPONDENT and Brilman had owner Nicholas A.
3 Fischella ("Fischella") transfer the real property at 7981 Willow Pines Place, Las Vegas,
4 Nevada, to Crown as trustee for the 7981 Willow Pines Place Trust.

5 45. Thereafter, RESPONDENT and Brilman caused the Willow Pines property to be
6 leased for their benefit.

7 46. The leasing of the Willow Pines property generated approximately \$10,765.00 in
8 rent.

9 47. On or about July 19, 2013, Brilman executed a deed transferring the Willow
10 Pines property back to Fischella.

11 48. By way of a letter dated September 5, 2014, the Division requested that
12 RESPONDENT and Brilman, through their attorney, provide the Division with a copy of the
13 trust agreement between Crown and the Willow Pines property owner.

14 49. RESPONDENT refused to provide the Division with a copy of that trust
15 agreement.

16 **Suffolk Hills Property**

17 50. On or about March 8, 2013, RESPONDENT and Brilman had owner Fischella
18 transfer the real property at 10662 Suffolk Hills Avenue, Las Vegas, Nevada, to Crown as
19 trustee for the 10662 Suffolk Hills Avenue Trust.

20 51. Thereafter, RESPONDENT and Brilman caused the Suffolk Hills property to be
21 leased for their benefit.

22 52. The leasing of the Suffolk Hills property generated approximately \$15,449.00 in
23 rent.

24 53. On or about October 10, 2013, RESPONDENT and Brilman executed a
25 quitclaim deed transferring the Suffolk Hills property back to Fischella.

26 54. By way of a letter dated September 5, 2014, the Division requested that
27 RESPONDENT and Brilman, through their attorney, provide the Division with a copy of the
28 trust agreement between Crown and the Suffolk Hills property owner.

1 Rehabilitation, 2800 East St. Louis Avenue, Conference Room A-C, Las Vegas, NV
2 89104. The meeting will continue on December 17, 2015, should business not be
3 concluded, starting at 9:00 a.m. at the Henderson City Hall, Council Chambers, 240
4 South Water Street, Henderson, Nevada 89015.

5 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the
6 same time as part of a regular meeting of the Commission that is expected to last from
7 December 16 through December 17, 2015, or earlier if the business of the Commission
8 is concluded. Thus, your hearing may be continued until later in the day or from day to
9 day. It is your responsibility to be present when your case is called. If you are not
10 present when your hearing is called, a default may be entered against you and the
11 Commission may decide the case as if all allegations in the complaint were true. If you
12 have any questions please call Rebecca Hardin, Commission Coordinator (702) 486-
13 4074.

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

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

27 You have the right to request that the Commission issue subpoenas to compel
28 witnesses to testify and/or evidence to be offered on your behalf. In making the request, you

1 may be required to demonstrate the relevance of the witness' testimony and/or evidence.
2 Other important rights you have are listed in NRS 645.680 through 645.990, NRS Chapter
3 233B, and NAC 645.810 through 645.875.

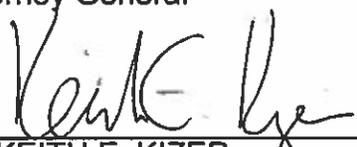
4 The purpose of the hearing is to determine if the Respondent has violated NRS 645
5 and/or NAC 645 and if the allegations contained herein are substantially proven by the
6 evidence presented and to further determine what administrative penalty is to be assessed
7 against the Respondent, if any, pursuant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

8 DATED this 13th day of November, 2015.

9 State of Nevada
10 Department of Business and Industry
11 Real Estate Division

12 By: _____
13 JOSEPH R. DECKER, Administrator
14 2501 East Sahara Avenue
15 Las Vegas, Nevada 89104-4137
16 (702) 486-4033

17 ADAM PAUL LAXALT
18 Attorney General

19 By:  _____
20 KEITH E. KIZER
21 Deputy Attorney General
22 555 East Washington Avenue, Suite 3900
23 Las Vegas, Nevada 89101
24 (702) 486-3326
25 Attorneys for Real Estate Division
26
27
28