

BEFORE THE REAL ESTATE COMMISSION REAL ESTATE COMMISSION
STATE OF NEVADA BY *Rubin*

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

Petitioner,

vs.

LINDA LOGAN,

Respondent.

Case No. 2015-2623

STIPULATION FOR SETTLEMENT OF
DISCIPLINARY ACTION

This Stipulation for Settlement of Disciplinary Action ("Stipulation") is entered into between the Petitioner, State of Nevada, Department of Business and Industry, Real Estate Division ("Division"), through its Administrator, Sharath Chandra, and Respondent, LINDA LOGAN ("Respondent").

JURISDICTION

Respondent agrees that she is subject to Nevada Revised Statutes ("NRS") Chapter 645 and Nevada Administrative Code ("NAC") Chapter 645 and to the jurisdiction of the Division and the Commission.

SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN COMPLAINT

1. On or about September 10, 2015, Allison White filed a complaint against RESPONDENT for conducting real estate and property management activities without first obtaining licenses from the Nevada Real Estate Division to perform such activities.

2. As part owner of Las Vegas Retreats (with John Palmer), RESPONDENT enters into Rental Marketing Agreements with property owners.

3. RESPONDENT performed property management services by placing occupants in the properties, collecting rents, sending proceeds to the owners, and receiving compensation for those services.

1 4. Pursuant to NRS 645.019, RESPONDENT performed property management
2 services by the physical, administrative or financial maintenance and management of real
3 property, or the supervision of such activities for a fee, commission, or other compensation
4 or valuable consideration.

5 5. RESPONDENT does not hold a Nevada Real Estate license or property management
6 permit in Nevada.

7 6. On or about August 15, 2016, the Administrator of the Division issued a Cease
8 and Desist Order to RESPONDENT, ordering RESPONDENT to cease and desist from
9 conducting all broker and property management activities.

10 **SUMMARY OF VIOLATIONS OF LAW ALLEGED IN COMPLAINT**

11 1. RESPONDENT violated NRS 645.230(1)(b) by engaging in the business of,
12 acting in the capacity of, advertising or assuming to act as a property manager without
13 first obtaining from the Division a license as a real estate broker, real estate broker-
14 salesperson, or real estate salesperson, and a permit to engage in property management.

15 2. RESPONDENT violated NRS 645.235(1)(a) by knowingly engaging or offering
16 to engage in any activity for which a license, permit, certificate or registration or any type
17 of authorization is required pursuant to this chapter, or any regulation adopted pursuant
18 thereto, if the person does not hold the required license, permit, certificate or registration
19 or has not been given the required authorization.

20 **SETTLEMENT**

21 1. The Division was prepared to present its case based upon the Complaint filed
22 with the Commission, and the Respondent was prepared to defend against the penalty to
23 be imposed.

24 2. The Parties desire to compromise and settle the instant controversy upon the
25 following terms and conditions.

26 3. Respondent has stated her intention to become properly licensed by the
27 Division in order to lawfully conduct property management activities in the State of
28 Nevada.

1 4. Respondent agrees to cease and desist from conducting all real estate and
2 property management activities until the time she is fully licensed from the Division in
3 order to conduct said activities.

4 5. Respondent further agrees to pay a total of \$2,000 (\$1,500 as an
5 administrative fine and \$500 in investigative costs) to the Division as follows: Respondent
6 shall pay an initial payment of \$500 due within 7 days of the effective date of this Order,
7 and \$50 a month thereafter, until paid in full. Each payment shall be due on the 15th of
8 every month. No grace period is permitted. Any payment not actually received by the
9 Division on or before its due date shall be construed as an event of default by Respondent.

10 6. In the event of default, Respondent agrees that the unpaid balance, together
11 with any attorney's fees and costs that may have been assessed, shall be due in full to the
12 Division within ten calendar days of the date of default. If any unpaid balance remains at
13 the time Respondent becomes licensed by the Division, and thereafter an event of default
14 occurs, Respondent also agrees that her license will be immediately suspended until the
15 unpaid balance is paid in full. Debt collection actions for unpaid monetary assessments in
16 this case may be instituted by the Division.

17 7. The Division agrees not to pursue any other or greater remedies or fines in
18 connection with Respondent's alleged conduct referenced herein.

19 8. Respondent and the Division agree that by entering into this Stipulation, the
20 Division does not concede any defense or mitigation Respondent may assert and that once
21 this Stipulation is approved and fully performed, the Division will close its file in this
22 matter.

23 9. Respondent agrees and understands that by entering into this Stipulation,
24 Respondent is waiving the right to a hearing at which Respondent may present evidence
25 in defense, right to a written decision on the merits of the complaint, rights to
26 reconsideration and/or rehearing, appeal and/or judicial review, and all other rights which
27 may be accorded by the Nevada Administrative Procedure Act, the Nevada Real Estate
28 Brokers and Salespersons statutes and accompanying regulations, and the federal and

1 state constitutions. Respondent understands that this Agreement and other
2 documentation may be subject to public records laws. The Commission members who
3 review this matter for approval of this Stipulation may be the same members who
4 ultimately hear, consider and decide the Complaint if this Stipulation is either not
5 approved by the Commission or is not timely performed by Respondent. Respondent fully
6 understands that Respondent has the right to be represented by legal counsel in this matter
7 at his own expense.

8 10. Except as provided above, each party shall bear its or her own attorney's fees
9 and costs.

10 11. Stipulation is Not Evidence. Neither this Stipulation nor any statements
11 made concerning this Stipulation may be discussed or introduced into evidence at any
12 hearing on the Complaint, if the Division must ultimately present its case based on the
13 Complaint filed in this matter.

14 12. Approval of Stipulation. Once executed, this Stipulation will be filed with the
15 Commission and will be placed on the agenda for approval at its August 2017 public
16 meeting. The Division will recommend to the Commission approval of the Stipulation.
17 Respondent agrees that the Commission may approve, reject, or suggest amendments to
18 this Stipulation that must be accepted or rejected by Respondent before any amendment is
19 effective.

20 13. Withdrawal of Stipulation. If the Commission rejects this Stipulation or
21 suggests amendments unacceptable to Respondent, Respondent may withdraw from this
22 Stipulation and the Division may pursue its Complaint before the Commission at the
23 Commission's regular public meeting.

24 14. Release. In consideration of execution of this Stipulation, the Respondent for
25 himself, his heirs, executors, administrators, successors, and assigns, hereby release,
26 remise, and forever discharge the State of Nevada, the Department of Business and
27 Industry and the Division, and each of their respective members, agents, employees and
28 counsel in their individual and representative capacities, from any and all manner of

1 actions, causes of action, suits, debts, judgments, executions, claims, and demands
2 whatsoever, known and unknown, in law or equity, that the Respondent ever had, now has,
3 may have, or claim to have, against any or all of the persons or entities named in this
4 section, arising out of or by reason of the Division's investigation, this disciplinary action,
5 and all other matters relating thereto.

6 15. Indemnification. Respondent hereby indemnifies and holds harmless the
7 State of Nevada, the Department of Business and Industry, the Division, and each of their
8 respective members, agents, employees and counsel in their individual and representative
9 capacities against any and all claims, suits, and actions brought against said persons and/or
10 entities by reason of the Division's investigation, this disciplinary action and all other
11 matters relating thereto, and against any and all expenses, damages, and costs, including
12 court costs and attorney fees, which may be sustained by the persons and/or entities named
13 in this section as a result of said claims, suits, and actions.

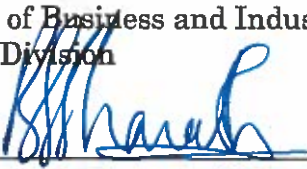
14 16. Respondent has signed and dated this Stipulation only after reading and
15 understanding all terms herein.

16
17 Dated: 8/14/17

17 By: 

18 Linda Logan, Respondent

18
19 Dated: 8/25/17

19 State of Nevada
20 Department of Business and Industry
21 Real Estate Division
22 By: 

23 Sharath Chandra, Administrator

1 Approved as to form:

2 Dated: 8/15/17

3 ADAM PAUL LAXALT
4 Attorney General

5 By: 

6 Donald J. Bordelove
7 Deputy Attorney General
8 Attorney for the Real Estate
9 Division

Approved as to form:

Dated: _____

Brown, Brown & Premsrirut

By: 

Jay Brown
Attorney for Respondent

10
11 **ORDER APPROVING STIPULATION**

12 The Stipulation for Settlement of Disciplinary Action having come before the Real
13 Estate Commission, Department of Business and Industry, State of Nevada, during its
14 regular agenda on August __, 2017, and the Commission being fully apprised in the
15 premises, and good cause appearing,

16 IT IS ORDERED that the above Stipulation is approved in full.

17 This Order shall become effective on the _____ day of _____, 2017.

18 Dated this _____ day of August, 2017.

19
20 NEVADA REAL ESTATE COMMISSION

21
22 By: _____
23 President, Nevada Real Estate Commission

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Approved as to form:

Dated: 8/15/17

ADAM PAUL LAXALT
Attorney General

By: 

Donald J. Bordelove
Deputy Attorney General
Attorney for the Real Estate
Division

Approved as to form:

Dated: _____

Brown, Brown & Premsrirut

By: 

Jay Brown
Attorney for Respondent

ORDER APPROVING STIPULATION

The Stipulation for Settlement of Disciplinary Action having come before the Real Estate Commission, Department of Business and Industry, State of Nevada, during its regular agenda on August 15, 2017, and the Commission being fully apprised in the premises, and good cause appearing,

IT IS ORDERED that the above Stipulation is approved in full.

This Order shall become effective on the 19th day of October, 2017.

Dated this 29th day of August, 2017.

NEVADA REAL ESTATE COMMISSION

By: 
President, Nevada Real Estate Commission