

FILED

JUL 03 2017

REAL ESTATE COMMISSION  
BY *[Signature]*

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Case No. 2016-1734

Petitioner,

vs.

GORDON ROBERT ALLRED,

Respondent.

**COMPLAINT 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 Keith E. Kizer, Senior Deputy Attorney General, hereby notifies RESPONDENT GORDON ROBERT ALLRED ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION ("Commission"). The hearing will be held pursuant to Chapter 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 645.235 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, issued by the Division and is, therefore, subject to the jurisdiction of the Division and the Commission, and the provisions of NRS and NAC 645.

**FACTUAL ALLEGATIONS**

1. At all times relevant to this Complaint, RESPONDENT was not licensed by the Division in any capacity.

...

1           2.     At all times relevant to this Complaint, RESPONDENT did not hold a Cooperative  
2 Certificate from the Division.

3           3.     RESPONDENT is licensed with the California Bureau of Real Estate as a Broker,  
4 License No. 00927200.

5           4.     At all times relevant to this Complaint, RESPONDENT was affiliated with Marcus &  
6 Millichap Real Estate Investment Services (“M&M”) in Ontario, California.

7           5.     In or about 2015 and 2016, RESPONDENT engaged in the offering, soliciting, and/or  
8 listing of a commercial property located at **1101 South Highway 160, Pahrump, Nevada** (“Best  
9 Western”) for another and for compensation or with the intention or expectation of receiving  
10 compensation.

11          6.     On or about January 27, 2016, RESPONDENT signed an Interstate Brokerage  
12 Cooperation Agreement – TURF STATE regarding the Best Western offering, which discusses  
13 compensation “if [he] has submitted a Certificate of Cooperation and received approval from the  
14 Nevada Real Estate Division that he/she may perform any acts (listing or selling) in the state of  
15 Nevada.” (Emphasis in original.)

16          7.     That agreement provides that “NO OUT-OF-STATE AGENT INFORMATION SHALL  
17 BE INCLUDED ON ANY MARKETING/ADVERTISING MATERIALS.” (Emphasis in original.)

18          8.     M&M’s Out of State Checklist for the Best Western offering indicates that  
19 RESPONDENT received Division Form 542 on which to apply for a Nevada Out-of-State Cooperative  
20 Certificate.

21          9.     The advertising for the offering for sale of Best Western stated it was exclusively listed  
22 by RESPONDENT.

23          10.    RESPONDENT received a letter of intent from a party interested in buying Best  
24 Western.

25          11.    The commission amount earned by M&M on the sale of Best Western was  
26 approximately \$249,000.00.

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1           12.     In or about 2015, RESPONDENT engaged in the offering, soliciting, and/or listing of a  
2 commercial property located at **650 West Front Street, Battle Mountain, Nevada** (“Battle Mountain  
3 Inn”) for another and for compensation or with the intention or expectation of receiving compensation.

4           13.     M&M identified RESPONDENT as its Procuring Agent for the Battle Mountain Inn  
5 offering.

6           14.     On or about February 10, 2015, RESPONDENT signed an Interstate Brokerage  
7 Cooperation Agreement – TURF STATE regarding the Battle Mountain Inn offering, which discusses  
8 compensation “if [he] has submitted a **Certificate of Cooperation** and received approval from the  
9 Nevada Real Estate Division that he/she may perform any acts (listing or selling) in the state of  
10 Nevada.” (Emphasis in original.)

11           15.     That agreement provides that “**NO OUT-OF-STATE AGENT INFORMATION SHALL**  
12 **BE INCLUDED ON ANY MARKETING/ADVERTISING MATERIALS.**” (Emphasis in original.)

13           16.     On or about March 22, 2015, RESPONDENT issued a memorandum regarding the  
14 Battle Mountain Inn offering, which states that “[o]nly in the event the Out-of-State licensee has  
15 obtained a Certificate of Cooperation from the Nevada Real Estate Division may he/she perform **any**  
16 **acts (listing or selling)** otherwise requiring a real estate license in Nevada.... THIS FORM MUST BE  
17 FILLED OUT, SUBMITTED AND APPROVED BY THE DIVISION PRIOR TO ACTIVATING IN  
18 THE SYSTEM.” (Emphasis in original.)

19           17.     In or about 2016, RESPONDENT engaged in the offering, soliciting, and/or listing of a  
20 commercial property located at **4300 West Tropicana Avenue, Las Vegas, Nevada** (“Casino  
21 Development Site”) for another and for compensation or with the intention or expectation of receiving  
22 compensation.

23           18.     RESPONDENT was listed as the contact in the exclusive land offering advertisement  
24 for the offering for sale of the Casino Development Site.

25           19.     RESPONDENT was listed as one of the contacts in other advertisements for the offering  
26 for sale of the Casino Development Site.

27           20.     M&M identified RESPONDENT as its Procuring Agent for the Casino Development  
28 Site.





1 and arguments, the Commission may conduct a closed meeting to discuss your alleged misconduct or  
2 professional competence. A verbatim record will be made by a certified court reporter. You are  
3 entitled to a copy of the transcript of the open and closed portions of the meeting, although you must  
4 pay for the transcription.

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

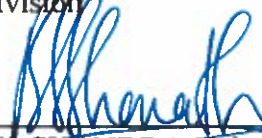
11 You have the right to request that the Commission issue subpoenas to compel witnesses to  
12 testify and/or evidence to be offered on your behalf. In making the request, you may be required to  
13 demonstrate the relevance of the witnesses' testimony and/or evidence. Other important rights you  
14 have are listed in NRS 645.680 through 645.990, NRS Chapter 233B, and NAC 645.810 through  
15 645.920.

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

5 DATED this 3<sup>RD</sup> day of July, 2017.

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

9 By:   
10 SHARATH CHANDRA, Administrator  
11 2501 East Sahara Avenue  
12 Las Vegas, Nevada 89104-4137  
13 (702) 486-4033

14 ADAM PAUL LAXALT  
15 Attorney General

16 By:   
17 KEITH E. KIZER (Bar. No. 4305)  
18 Senior Deputy Attorney General  
19 DONALD J. BORDELOVE  
20 Deputy Attorney General  
21 555 East Washington Ave., Ste. 3900  
22 Las Vegas, Nevada 89101  
23 (702) 486-3326  
24 Attorneys for Real Estate Division  
25  
26  
27  
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