

FILED

JUL 11 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. 2016-2402

Petitioner,

vs.

ALVIN MANSOUR,

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 ALVIN MANSOUR ("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 645.235 and/or NRS 622.400, and the discipline to be imposed, if a violation of law is 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.

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1 2. At all times relevant to this Complaint, RESPONDENT was affiliated with Marcus &
2 Millichap Real Estate Investment Services of California (“M&M”) in San Diego, California, was
3 licensed with the California Bureau of Real Estate as a Broker, License No. 01391653, and purportedly
4 held a real estate license in Texas.

5 3. Kevin Mansour (“K. Mansour”) holds no broker, broker-salesperson or salesperson
6 license issued by the Division.

7 4. At all times relevant to this Complaint, K. Mansour was affiliated with M&M in San
8 Diego, California, and was licensed with the California Bureau of Real Estate as a Salesperson, License
9 No. 01878011.

10 5. On or about April 19, 2016, RESPONDENT signed an “INTERSTATE BROKERAGE
11 COOPERATION AGREEMENT – TURF STATE” regarding the sale and marketing of a commercial
12 property located at **2989 Highway 50 East, Carson City, Nevada.**

13 6. That agreement discusses compensation “if Out-of-State License has submitted a
14 **Certificate of Cooperation** and received approval from the Nevada Real Estate Division that he/she
15 may perform any acts (listing or selling) in the state of 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. The advertising for the offering for sale of a commercial property located at **3059**
19 **Highway 50 East, Carson City, Nevada** (“Dollar General”) stated it was being listed by The Mansour
20 Group at M&M, with RESPONDENT as President, and K. Mansour as Managing Partner.

21 9. On or about May 3, 2016, K. Mansour received a “Letter of Interest to Purchase Dollar
22 General, located at 3059 Highway 50 East, Carson City, NV 89701,” which listed the purchase price as
23 “\$2,278,323 (6.50% Cap) – All Cash,” from Allen Lindow.

24 10. On or about May 3, 2016, RESPONDENT and K. Mansour received a letter of intent to
25 purchase Dollar General, which listed the purchase price as “\$2,365,000 all cash,” from Marc Pollock.

26 11. On or about May 5, 2016, The Mansour Group prepared a “Counter Letter of Intent” for
27 the purchase of Dollar General, which listed the purchase price as \$2,407,988.

28 12. On or about June 1, 2016, the Division sent RESPONDENT a Cease & Desist Order.

1 13. On or about June 1, 2016, the Division sent K. Mansour a Cease & Desist Order.

2 14. On or about June 14, 2016, RESPONDENT applied for a Cooperation Certificate from
3 the Division.

4 15. On or about June 15, 2016, the Division issued a Cooperation Certificate to
5 RESPONDENT.

6 16. The Division does not have any records indicating that K. Mansour ever held or applied
7 for a Cooperative Certificate with the Division.

8 17. On or about July 28, 2016, Dollar General sold for \$2,450,000.

9 **VIOLATION**

10 18. RESPONDENT violated NRS 645.230(1)(a) and/or NRS 645.235(1)(a) by engaging in
11 the business of, acting in the capacity of, or advertising or assuming to act as a real estate broker, real
12 estate broker-salesperson, or real estate salesperson within the State of Nevada without first obtaining
13 the appropriate license or certificate from the Division.

14 **DISCIPLINE AUTHORIZED**

15 19. Pursuant to NRS 645.235, the Commission is empowered to impose an administrative
16 fine in an amount not to exceed the amount of gain or economic benefit that the person derived from
17 the violation or \$5,000, whichever amount is greater, against RESPONDENT for each violation of
18 NRS 645.235.

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

22 21. Therefore, the Division requests that the Commission take such disciplinary action as it
23 deems appropriate under the circumstances.

24 **NOTICE OF HEARING**

25 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider the
26 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and
27 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

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1 **THE HEARING WILL TAKE PLACE** on August 15, 2017 commencing at 9:00 a.m., or
2 as soon thereafter as the Commission is able to hear the matter, and each day thereafter
3 commencing at 9:00 a.m. through August 17, 2017, or earlier if the business of the Commission is
4 concluded. The Commission meeting will be held on August 15, 2017, at the Grant Sawyer
5 Building, 555 East Washington Avenue, Room 4401, Las Vegas, Nevada 89101. The meeting will
6 continue on August 16, 2017 at the Grant Sawyer Building, 555 East Washington Avenue, Room
7 4401, Las Vegas, Nevada 89101 commencing at 9:00 a.m., and on August 17, 2017, should
8 business not be concluded, starting at 9:00 a.m. at the Grant Sawyer Building, 555 East
9 Washington Avenue, Room 4401, Las Vegas, Nevada 89101.

10 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the same
11 time as part of a regular meeting of the Commission that is expected to last from August 15
12 through August 17, 2017, or earlier if the business of the Commission is concluded. Thus, your
13 hearing may be continued until later in the day or from day to day. It is your responsibility to be
14 present when your case is called. If you are not present when your hearing is called, a default
15 may be entered against you and the Commission may decide the case as if all allegations in the
16 complaint were true. If you have any questions please call Rebecca Hardin, Commission
17 Coordinator (702) 486-4074.

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

24 As the Respondent, you are specifically informed that you have the right to appear and be heard
25 in your defense, either personally or through your counsel of choice. At the hearing, the Division has
26 the burden of proving the allegations in the complaint and will call witnesses and present evidence
27 against you. You have the right to respond and to present relevant evidence and argument on all issues
28


1 involved. You have the right to call and examine witnesses, introduce exhibits, and cross-examine
2 opposing witnesses on any matter relevant to the issues involved.

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


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

11 DATED this 11th day of July, 2017.

12 State of Nevada
13 Department of Business and Industry
14 Real Estate Division

15 By: 
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