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OCT 30 2017

REAL ESTATE COMMISSION
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BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

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

Case No. 2017-1209

Petitioner,

vs.

ZACHARY ROBERTS,

Respondent.

COMPLAINT AND NOTICE OF HEARING

The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA ("Division") hereby notifies RESPONDENT ZACHARY ROBERTS ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE 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 Broker Salesperson under license number BS.0144623, 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. RESPONDENT has been licensed as a Broker Salesperson, license number BS.0144623, since March 16, 2015, and that license is currently in active status.
2. On or about May 2, 2017, before the United States District Court for the District of Montana, RESPONDENT entered into a plea agreement in which he pled guilty to "conspiracy to ...

1 commit wire fraud and engaging in monetary transactions in property derived from specified unlawful
2 activity, in violation of 18 U.S.C. § 371.”

3 3. On or about August 29, 2017, the United States District Court for the District of
4 Montana sentenced RESPONDENT to (a) serve twenty months of imprisonment, (2) serve one year of
5 supervised release upon release of his imprisonment, and (3) pay \$700,000.00 in restitution.

6 VIOLATION

7 RESPONDENT has committed the following violation of law:

8 4. RESPONDENT violated NRS 645.633(1)(d)(2) by being convicted of a felony
9 involving fraud, deceit, misrepresentation or moral turpitude.

10 DISCIPLINE AUTHORIZED

11 5. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to impose
12 an administrative fine of up to \$10,000 per violation against RESPONDENT and further to suspend,
13 revoke or place conditions on the license of RESPONDENT.

14 6. Additionally, under NRS Chapter 622, the Commission is authorized to impose costs of
15 the proceeding upon RESPONDENT, including investigative costs and attorney’s fees, if the
16 Commission otherwise imposes discipline on RESPONDENT.

17 7. Therefore, the Division requests that the Commission take such disciplinary action as it
18 deems appropriate under the circumstances.

19 NOTICE OF HEARING

20 PLEASE TAKE NOTICE, that a disciplinary hearing has been set to consider the
21 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and
22 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

23 **THE HEARING WILL TAKE PLACE on December 5, 2017, commencing at 9:00 a.m., or**
24 **as soon thereafter as the Commission is able to hear the matter, and each day thereafter**
25 **commencing at 9:00 a.m. through December 7, 2017, or earlier if the business of the Commission**
26 **is concluded. The Commission meeting will be held on December 5, 2017, at the Nevada State**
27 **Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada**
28 **89102. The meeting will continue on December 6, 2017 at the Nevada State Business Center, 3300**

1 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102, commencing at
2 9:00 a.m., and on December 7, 2017, should business not be concluded, starting at 9:00 a.m. at the
3 Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas,
4 Nevada 89102.

5 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the same
6 time as part of a regular meeting of the Commission that is expected to last from December 5
7 through December 7, 2017, or earlier if the business of the Commission is concluded. Thus, your
8 hearing may be continued until later in the day or from day to day. It is your responsibility to be
9 present when your case is called. If you are not present when your hearing is called, a default
10 may be entered against you and the Commission may decide the case as if all allegations in the
11 complaint were true. If you have any questions please call Rebecca Hardin, Commission
12 Coordinator (702) 486-4074.

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

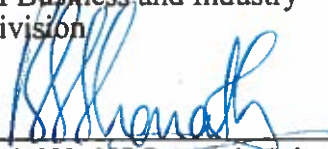
19 As the Respondent, you are specifically informed that you have the right to appear and be heard
20 in your defense, either personally or through your counsel of choice. At the hearing, the Division has
21 the burden of proving the allegations in the complaint and will call witnesses and present evidence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

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


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

5 DATED this 30 day of October, 2017.

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

9 By: 
10 SHARATH CHANDRA, Administrator
11 3300 West Sahara Avenue
12 Las Vegas, Nevada 89102

13 ADAM PAUL LAXALT
14 Attorney General

15 By: 
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