

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. 2016-2404

Petitioner,

vs.

NENAD ZIVKOVIC,

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 NENAD ZIVKOVIC ("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 was at all relevant times mentioned in this Complaint licensed as a Salesperson by the Division under license number S.0072029, and is therefore subject to the jurisdiction of the Commission and the Division, and the provisions of NRS Chapter 645 and NAC Chapter 645.

FACTUAL ALLEGATIONS

1. RESPONDENT is licensed by the Division as a Salesperson under license number S.0072029, and is currently in active status.

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1 2. At all times relevant to this Complaint, RESPONDENT was a salesperson for Marcus &
2 Millichap Real Estate Investment Services of Nevada, Inc. ("Marcus & Millichap").

3 3. At all times relevant to this Complaint, Perry A. White ("White") was licensed by the
4 Division as a Broker under license number B.0034578.CORP.

5 4. At all times relevant to this Complaint, White was the broker for Marcus & Millichap.

6 5. Alvin Mansour ("A. Mansour") holds no broker, broker-salesperson or salesperson
7 license issued by the Division.

8 6. At all times relevant to this Complaint, A. Mansour was affiliated with Marcus &
9 Millichap Real Estate Investment Services of California ("M&M") in San Diego, California, was
10 licensed with the California Bureau of Real Estate as a Broker, License No. 01391653, and purportedly
11 held a real estate license in Texas.

12 7. Kevin Mansour ("K. Mansour") holds no broker, broker-salesperson or salesperson
13 license issued by the Division.

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

17 9. The advertising for the offering for sale of a commercial property located at **3059**
18 **Highway 50 East, Carson City, Nevada** ("Dollar General") stated it was being listed by The Mansour
19 Group at M&M, with A. Mansour as President, K. Mansour as Managing Partner, and RESPONDENT
20 as Associate.

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

24 11. On or about May 5, 2016, the Mansour Group prepared a "Counter Letter of Intent" for
25 the purchase of Dollar General, which listed the purchase price as \$2,407,988.

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

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1 **VIOLATION**

2 13. RESPONDENT violated NRS 645.235(1)(b) by knowingly assisting or offering to assist
3 another person or persons to engage in activity for which a license, permit, certificate or registration or
4 any type of authorization is required pursuant to NRS 645, or any regulation adopted pursuant thereto,
5 even though that person or persons did not hold the required license, permit, certificate or registration
6 or has not been given the required authorization.

7 **DISCIPLINE AUTHORIZED**

8 14. Pursuant to NRS 645.235, the Commission is empowered to impose an administrative
9 fine in an amount not to exceed the amount of gain or economic benefit that the person derived from
10 the violation or \$5,000, whichever amount is greater, against RESPONDENT for each violation of
11 NRS 645.235.

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

15 16. Therefore, the Division requests that the Commission take such disciplinary action as it
16 deems appropriate under the circumstances.

17 **NOTICE OF HEARING**

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

21 **THE HEARING WILL TAKE PLACE on August 15, 2017 commencing at 9:00 a.m., or**
22 **as soon thereafter as the Commission is able to hear the matter, and each day thereafter**
23 **commencing at 9:00 a.m. through August 17, 2017, or earlier if the business of the Commission is**
24 **concluded. The Commission meeting will be held on August 15, 2017, at the Grant Sawyer**
25 **Building, 555 East Washington Avenue, Room 4401, Las Vegas, Nevada 89101. The meeting will**
26 **continue on August 16, 2017 at the Grant Sawyer Building, 555 East Washington Avenue, Room**
27 **4401, Las Vegas, Nevada 89101 commencing at 9:00 a.m., and on August 17, 2017, should**

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1 business not be concluded, starting at 9:00 a.m. at the Grant Sawyer Building, 555 East
2 Washington Avenue, Room 4401, Las Vegas, Nevada 89101.

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

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

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

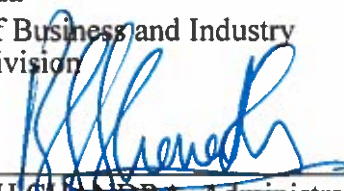
23 You have the right to request that the Commission issue subpoenas to compel witnesses to
24 testify and/or evidence to be offered on your behalf. In making the request, you may be required to
25 demonstrate the relevance of the witness' testimony and/or evidence. Other important rights you have
26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

27 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or
28 NAC 645 and if the allegations contained herein are substantially proven by the evidence


1 presented and to further determine what administrative penalty is to be assessed against the
2 RESPONDENT, if any, pursuant to NRS 645.235, 645.633 and or 645.630.

3 DATED this 11th day of July, 2017.

4 State of Nevada
5 Department of Business and Industry
6 Real Estate Division

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

12 ADAM PAUL LAXALT
13 Attorney General

14 By: 
15 KEITH E. KIZER
16 Senior Deputy Attorney General
17 555 East Washington Ave., Ste. 3900
18 Las Vegas, Nevada 89101
19 (702) 486-3326
20 Attorneys for Real Estate Division
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