

FILED

AUG 07 2018

REAL ESTATE COMMISSION
BY *Ruba Ford*

BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

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

Case No. 2016-4090

Petitioner,

vs.

TRACY R. REIDY,

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 TRACY R. REIDY ("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 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 as a Salesperson under license number S.0167938, and permitted as a Property Manager under permit PM.0164770, 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 was licensed as a Salesperson under license number S.0167938, from April 13, 2009, until April 30, 2018, which is currently in expired status.

2. RESPONDENT was permitted as a Property Manager under permit number PM.0164770, from January 21, 2011, until April 30, 2018, which is currently in expired status.

1 3. On or about December 9, 2016, the Administrator of the Real Estate Division issued
2 RESPONDENT a Notice of Violation with the Imposition of Administrative Fine in the amount of
3 \$500.00 for a violation of NRS 645.635(6) (“Failure to produce any document, book or record in his or
4 her possession or under his or her control, concerning any real estate transaction under investigation by
5 the Division.”).

6 4. The Notice of Violation with Imposition of Administrative Fine was properly served
7 upon RESPONDENT.

8 5. The Notice of Violation and accompanying letter from the Division advised that the fine
9 must be remitted to the Division by January 9, 2017.

10 6. The Notice of Violation and accompanying letter contained notice to RESPONDENT
11 advising RESPONDENT of her appeal rights if she disagreed with the finding of violation and/or
12 imposition of the fine.

13 7. RESPONDENT did not appeal and did not request a hearing prior to January 9, 2017.

14 8. To date, RESPONDENT has failed to pay the administrative fine.

15 **VIOLATION**

16 RESPONDENT has committed the following violation of law:

17 9. RESPONDENT violated NRS 645.647(2), by failing to pay money which she owes to
18 the Commission or the Division.

19 **DISCIPLINE AUTHORIZED**

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

23 11. Additionally, under NRS Chapter 622, the Commission is authorized to impose costs of
24 the proceeding upon RESPONDENT, including investigative costs and attorney’s fees, if the
25 Commission otherwise imposes discipline on RESPONDENT.

26 12. Therefore, the Division requests that the Commission take such disciplinary action as it
27 deems appropriate under the circumstances.

28 ...

1 **NOTICE OF HEARING**

2 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider the
3 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and
4 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

5 **THE HEARING WILL TAKE PLACE** on September 10, 2018, commencing at 9:00 a.m.,
6 or as soon thereafter as the Commission is able to hear the matter, and each day thereafter
7 commencing at 9:00 a.m. through September 12, 2018, or earlier if the business of the
8 Commission is concluded. The Commission meeting will be held on September 10, 2018, at the
9 Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas,
10 Nevada 89102. The meeting will continue on September 11, 2018 at the Nevada State Business
11 Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102,
12 commencing at 9:00 a.m., and on September 12, 2018, should business not be concluded, starting
13 at 9:00 a.m. at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada
14 Room, Las Vegas, Nevada 89102.

15 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the same
16 time as part of a regular meeting of the Commission that is expected to last from September 10
17 through September 12, 2018, or earlier if the business of the Commission is concluded. Thus,
18 your hearing may be continued until later in the day or from day to day. It is your responsibility
19 to be present when your case is called. If you are not present when your hearing is called, a
20 default may be entered against you and the Commission may decide the case as if all allegations
21 in the complaint were true. If you have any questions please call Rebecca Hardin, Commission
22 Coordinator (702) 486-4074.

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


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

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


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

15 DATED this 7th day of August, 2018.

16 State of Nevada
17 Department of Business and Industry
18 Real Estate Division

19 By: 
20 SHARATH CHANDRA, Administrator
21 SHARON JACKSON, Deputy Administrator
22 3300 West Sahara Avenue, Suite 350
23 Las Vegas, Nevada 89102

24 ADAM PAUL LAXALT
25 Attorney General

26 By: 
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