



DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION
www.red.nv.gov

April 18, 2019

Certified Mail #: 7017 1450 0000 8967 8050

Megan Barry
c/o Charles E. Gianelloni
Snell & Wilmer L.L.P.
3883 Howard Hughes Parkway, Suite 1100
Las Vegas, NV 89169

RE: NRED v Megan Barry
Case No: 2017-2062

Ms Barry:

Enclosed you will find the Decision entered by the Nevada Real Estate Commission at the meeting held March 26-27, 2019 in Las Vegas, Nevada. This is the fully executed copy for your records.

The Commission has ordered the following:

- Respondent pay a total of \$27,947.87 to the Division. The total fine reflects a fine of \$25,000.00 plus hearing and investigative costs of \$2,947.87.
- Respondent's salesperson's license is hereby revoked.

Effective Date of Order: **May 18, 2019**
Payment Due Date: **August 16, 2019**

NOTE: Your fine and/or cost of hearing totals \$10,000.00 or more. Please be aware that pursuant to NRS 353.1467 your payment must now be made electronically. For details on how to submit your electronic payment, please see Informational Bulletin #016 (included) or contact the Department of Business and Industry's Management Analyst Grace Hilgar-Devito at 702-486-5134 or email at ghilgar@business.nv.gov.

Please note that the Division staff does not have the authority to extend the due date for your fine which was ordered by the Commission. If you find that you are unable to meet the required due date, you will need to request in writing that you be placed on the agenda for a Commission hearing in which Respondent will be allowed to request an extension from the Commission. This request should be made several months prior.

Sincerely,



Evelyn Pattee

Commission Coordinator

Telephone: (702) 486-4074

Email: epattee@red.nv.gov

Enclosures as indicated

cc: Sharath Chandra, Administrator
Vivienne Rakowsky, Deputy Attorney General
Compliance Section
Education Section
Fiscal

DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION

realest@red.nv.gov

<http://red.nv.gov/>

REQUIREMENTS FOR ELECTRONIC PAYMENTS IN EXCESS OF \$10,000

Per Nevada Revised Statutes (NRS) 353.1467, all payments of **\$10,000 or more** remitted to the Nevada Real Estate Division (NRED) must be made electronically via wire transfer (Fedwire) or Automatic Clearing House (ACH). This requirement does not apply to payments under \$10,000. Payments less than \$10,000 may still be made via check, money order or cash (exact change).

Prior to the initiation of **EACH** electronic payment to NRED, please complete the Incoming Funds Deposit Form, and contact Grace Hilgar-Devito, Management Analyst, at (702) 486-5134 or by email at ghilgar@business.nv.gov for bank routing details and further instructions. This is necessary to ensure that your payment is applied to the appropriate account. All electronic payments to NRED are received by the Office of the State Treasurer, so notification is required each time a payment is made to make certain that the payment is received by NRED. Additionally, all electronic payments to NRED should include the following: Name of Organization/Remitter; NRED's 3 digit Agency Number: "748"; the program or purpose of the remittance; and any additional relevant descriptions (i.e. license or registration number, association name, commission order, etc.) that helps to properly identify the payment.

For all homeowners associations that meet the \$10,000 or more threshold, the association is required to perform the following steps to complete this process:

- E-mail the Annual Registration Form on the same day as the electronic transfer to: HOARegistrations@red.nv.gov (This email address is for registrations exceeding \$10,000 ONLY. Any other registration forms received at this email address will NOT be accepted.)
- Submit a hard copy of the registration form with signature for our files.
- If you are a master association, you must also submit emailed and hard copies of the Master Roster.

Finally, as a matter of law, any payment received by NRED that is in violation of NRS 353.1467 will be returned to the constituent and will not be considered as received by NRED. As such, the constituent could potentially be subject to late fees and/or penalties.

Revised: 2/23/2018

BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

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

Petitioner,

vs.

MEGAN BARRY,

Respondent.

Case No. 2017-2062

FILED

APR 18 2019

REAL ESTATE DIVISION
BY *Emily Patten*

DECISION

This matter came on for hearing before the Nevada Real Estate Commission, State of Nevada ("Commission") on Tuesday, March 26, 2019, at the Nevada State Business Center, 3300 W. Sahara Avenue, Las Vegas, Nevada 89102. Respondent Megan Barry ("Respondent") appeared through counsel, Charles Gianelloni, Esq., and Paul E. Larson, Esq., of Snell & Willmer. Dennis L. Belcourt, Deputy Attorney General, appeared and prosecuted the Complaint on behalf of petitioner Sharath Chandra, Administrator of the Real Estate Division, Department of Business & Industry, State of Nevada ("Division").

This matter submitted for decision based upon the allegations of the Complaint and evidence received, the Commission now enters its Findings of Fact and Conclusions of Law as follows:

FINDINGS OF FACT

1. At all times relevant to this Complaint, RESPONDENT was licensed by the Division as a salesperson, Nevada license number S.0178431.

2. At all times relevant to this Complaint, RESPONDENT was affiliated with Resolution Realty, Broker Mark Wildes, B.0000735.LLC.

3. RESPONDENT is a manager of Hub Holdings Vegas, LLC ("HUB"), a Nevada limited liability company, along with Stephen Baxter ("BAXTER").

4. Neither HUB nor BAXTER is licensed by the Division as a broker, salesperson, or broker-salesperson.

5. RESPONDENT and HUB have caused HUB to enter into “Residential Real Estate Purchase Contracts” with numerous owners of real property with the expectation of subsequently assigning the rights of HUB under said contracts to buyers.

6. HUB, directly, and RESPONDENT and BAXTER, indirectly, received compensation in excess of \$850,000.

7. The transactions thus brokered by RESPONDENT and BAXTER, through the various entities, exceed 100 in number.

CONCLUSIONS OF LAW

8. RESPONDENT violated NRS 645.235(1)(b) by assisting an unlicensed person to conduct an activity for which a license is required under NRS Chapter 645.

9. RESPONDENT violated NRS 645.630(1)(c) by accepting valuable consideration as a real estate sales person for the performance of any acts specified in NRS Chapter 645 from any person except the licensed real estate broker with whom she is associated.

10. RESPONDENT violated NRS 633(1)(h), as further elaborated in NAC 645.605, in acts or omissions constituting gross negligence or incompetence in performing any act for which she is required to hold a license pursuant to NRS Chapter 645.

ORDER

IT IS HEREBY ORDERED that RESPONDENT's license be revoked and that she be ordered to pay to the Division a fine of \$25,000.00 and \$2,947.87 in investigative costs and attorneys' fees within ninety (90) days of the effective date of this order. If the payment is not actually received by the Division on or before its due date, it shall be construed as an event of default by Respondent. In the event of default, the unpaid balance of the administrative fine and costs, together with any attorney's fees and costs that may have accrued, shall be due in full to the Division within ten calendar days of the date of default.

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1 This Order shall become effective on the 18th day of May, 2019.

2 DATED this 18th day of April, 2019.

3 REAL ESTATE COMMISSION
4 STATE OF NEVADA

5
6 By: 
7 President, Nevada Real Estate Commission