

1 MANISH PATEL
2301 Leggett Lane
Fullerton, CA 92833
2 In Proper Person

3 **BEFORE THE REAL ESTATE COMMISSION**

4 **STATE OF NEVADA**

FILED

MAR 21 2019

6 SHARATH CHANDRA, Administrator,)
7 REAL ESTATE DIVISION, DEPARTMENT)
8 OF BUSINESS & INDUSTRY, STATE OF)
NEVADA,)

Plaintiff,

9 vs.

10 MANISH (TOM) PATEL,

11 Respondent.
12
13

REAL ESTATE COMMISSION
BY *Swely Patte*

Case No.: 2015-566

14 **ANSWER TO COMPLAINT & NOTICE OF HEARING**

15 COMES NOW, Respondent, MANISH PATEL, in proper person and hereby files an
16 Answer to Complaint & Notice of Hearing.

- 17 1. Answering Paragraph 1 of Petitioner's COMPLAINT, the Answering Defendant ADMITS
18 the allegation contained therein.
- 19 2. Answering Paragraph 2 of Petitioner's COMPLAINT, the Answering Defendant ADMITS
20 the allegation contained therein.
- 21 3. Answering Paragraph 3 of Petitioner's COMPLAINT, the Answering Defendant is without
22 sufficient information to admit or deny the allegation contained therein the allegation
23 contained therein.
- 24 4. Answering Paragraph 4 of Petitioner's COMPLAINT, the Answering Defendant is without
25 sufficient information to admit or deny the allegation contained therein the allegation
26 contained therein.
- 27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

5. Answering Paragraph 5 of Petitioner’s COMPLAINT, the Answering Defendant is without sufficient information to admit or deny the allegation contained therein the allegation contained therein, in its entirety.
6. Answering Paragraph 6 of Petitioner’s COMPLAINT, the Answering Defendant DENIES the allegation contained therein, in its entirety.
7. Answering Paragraph 7 of Petitioner’s COMPLAINT, the Answering Defendant DENIES the allegation contained therein, in its entirety.
8. Answering Paragraph 8 of Petitioner’s COMPLAINT, the Answering Defendant is without sufficient information to admit or deny the allegation contained therein the allegation contained therein, in its entirety.
9. Answering Paragraph 9 of Petitioner’s COMPLAINT, the Answering Defendant is without sufficient information to admit or deny the allegation contained therein the allegation contained therein, in its entirety.
10. Answering Paragraph 10 of Petitioner’s COMPLAINT, the Answering Defendant is without sufficient information to admit or deny the allegation contained therein the allegation contained therein, in its entirety.
11. Answering Paragraph 11 of Petitioner’s COMPLAINT, the Answering Defendant is without sufficient information to admit or deny the allegation contained therein the allegation contained therein, in its entirety.
12. Answering Paragraph 12 of Petitioner’s COMPLAINT, the Answering Defendant DENIES the allegation contained therein, in its entirety.
13. Answering Paragraph 13 of Petitioner’s COMPLAINT, the Answering Defendant is without sufficient information to admit or deny the allegation contained therein the allegation contained therein, in its entirety.
14. Answering Paragraph 14 of Petitioner’s COMPLAINT, the Answering Defendant is without sufficient information to admit or deny the allegation contained therein the allegation contained therein, in its entirety.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

15. Answering Paragraph 15 of Petitioner’s COMPLAINT, the Answering Defendant is without sufficient information to admit or deny the allegation contained therein the allegation contained therein, in its entirety.

16. Answering Paragraph 16 of Petitioner’s COMPLAINT, the Answering Defendant is without sufficient information to admit or deny the allegation contained therein the allegation contained therein, in its entirety.

17. Answering Paragraph 17 of Petitioner’s COMPLAINT, the Answering Defendant is without sufficient information to admit or deny the allegation contained therein the allegation contained therein, in its entirety.

AFFIRMATIVE DEFENSES

FIRST DEFENSE

(FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED)

The Complaint fails to state a claim against MANISH PATEL upon which relief can be granted.

SECOND DEFENSE

(WAIVER, LATCHES AND ESTOPPEL)

Plaintiff’s claims are barred, in whole or in part, by the applicable principles of waiver, ratification, latches, and estoppel, whereby the Plaintiff is estopped to claim any monies from the Defendant and or attempt by any means to enforce the subject note herein.

THIRD DEFENSE

(ACCORD AND SATISFACTION)

Plaintiff’s claims are barred because Plaintiff failed to provide validity of any and all assessments and the basis of each.

FOURTH DEFENSE

(DURESS)

Plaintiff’s claims are barred because Plaintiff’s endured duress of which they complain in this action.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FIFTH DEFENSE

(INCURRED AND ASSUMED RISK)

Plaintiff's claims are barred because Plaintiffs incurred or assumed the risks of which they complain in this action.

SIXTH DEFENSE

(FAILURE TO MITIGATE DAMAGES)

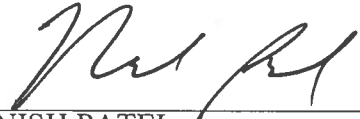
Plaintiffs have failed, in whole or in part, to mitigate their alleged damages.

WHEREFORE, Respondent, MANISH PATEL, prays for judgment as follows:

1. That Plaintiff takes nothing by way of their Complaint on file herein;
2. That Defendant be awarded legal fees and costs for the defense of this matter; and
3. For such other relief as the Court finds to be just and proper.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

DATED this 13th DAY OF MARCH 2019.



MANISH PATEL
2301 Leggett Lane
Fullerton, CA 92833
In Proper Person

CERTIFICATE OF SERVICE

I Maggie Strickland declare under penalty of perjury I certify that on this 13th DAY OF MARCH 2019 I served a copy of ANSWER TO COMPLAINT AND NOTICE OF HEARING, by US Mail, postage prepaid, as follows:

MICHELLE D. BRIGGS, ESQ.
555 E. Washington Avenue, Ste. 3900
Las Vegas, Nevada 89101

REAL ESTATE DIVISION
STATE OF NEVADA
3300 W. Sahara Avenue, Ste. 350
Las Vegas, Nevada 89102

/s/ Maggie Strickland
Maggie Strickland