

BEFORE THE REAL ESTATE COMMISSION  
STATE OF NEVADA

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

Petitioner,

vs.

CRISTINA MORALES,

Respondent.

Case No. 2018-1008

FILED

FEB 22 2019

REAL ESTATE COMMISSION  
BY *Emily Patten*

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 CRISTINA MORALES ("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 NRS 622.400, and the discipline to be imposed, if a violation of law is proven.

JURISDICTION

RESPONDENT engaged in activities which require a license as a real estate broker, real estate broker-salesperson, or real estate salesperson and a permit to conduct business as a property manager, issued by the Division 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. At all times relevant to this Complaint, RESPONDENT was not licensed by the Division in any capacity. (#001-002)
2. At all times relevant to this Complaint, RESPONDENT conducted unlicensed property management activities in Nevada.

1           3.       On or about July 28, 2018, the Division received a Complaint from Broker Keith  
2 Thompson ("Complainant") that RESPONDENT was acting as a property manager without a license.  
3 (#22, 23).

4           4.       Complainant alleges that the RESPONDENT was doing leasing, collecting rents,  
5 coordinating repairs and charging a management fee. (#22-23)

6           5.       The properties under management by the RESPONDENT included:

- 7               a. #1089 at 8250 Grand Canyon, Las Vegas
- 8               b. #1100 at 8250 Grand Canyon, Las Vegas
- 9               c. # 3025 at 6955 N. Durango, Las Vegas
- 10              d. # 3010 at 6955 N. Durango, Las Vegas
- 11              e. # 1059 at 6955 N. Durango, Las Vegas
- 12              f. # 2083 at 6955 N. Durango, Las Vegas

13               (# 23, 34).

14           6.       The RESPONDENT sent the property owner emails providing information regarding  
15 property management reports and bank deposits. (#31-32).

16           7.       The RESPONDENT provided the Claimant information as to the properties she was  
17 managing. (#34-36)

18           8.       The RESPONDENT provided the property owner several rental agreements.

- 19               i. Month to Month rental agreement for 6955 N. Durango Dr. # 1059 signed  
20               by RESPONDENT as "agent for the owner" dated 4/1/18 (# 37-45)
- 21               ii. Month to month rental agreement for 6955 N. Durango Dr. # 3025  
22               signed by RESPONDENT as "agent for the owner," dated 3/1/18 (# 46-  
23               55)
- 24               iii. Rental agreement for 8250 Grand Canyon #1089, dated January 1, 2018  
25               signed by RESPONDENT as Landlord/Management. (# 56-61)
- 26               iv. Month to month rental agreement for 8250 Grand Canyon #1100, dated  
27               January 1, 2018 signed by RESPONDENT as Agent for the Owner. (#  
28               62-63)

1           9.       The RESPONDENT provided the property owner with invoices for repairs  
2 performed at the properties. (# 64-89).

- 3                   i. 6955 Durango Dr. #1069 (#65, 66, 67,69)
- 4                   ii. 6955 Durango Dr. #2083 (#70-74)
- 5                   iii. 6955 Durango Dr. #3010 (#75-79)
- 6                   iv. 8250 Grand Canyon Dr. #1089 (#66, 80-85)
- 7                   v. 8250 Grand Canyon Dr. #1100 (#86-89)

8       10. The RESPONDENT provided the property owner with management reports.

9           a.   Rental and leasing commission invoices.

- 10                   i. The RESPONDENT charged 7% monthly commission totaling \$689.50  
11                   for the months of November, 2017, December 2017, January 2018 and  
12                   February 2018 (#90)
- 13                   ii. The RESPONDENT charged leasing commission for 7 leases at \$350.00  
14                   per lease totaling \$2,450.00 (#91).

15       b. Management Statements generated by the RESPONDENT and provided to the  
16       property owner. (#92-105).

- 17                   i. The RESPONDENT collected \$22,775.00 in rent between March 2017  
18                   and December 2017. (#97, 98)
  - 19                           1. RESPONDENT deposited \$ 8650.00 in the bank. (#97, 98, 100,  
20                           103)
  - 21                           2. RESPONDENT refunded \$2,025.00 in security deposits. (#98,  
22                           99)
  - 23                           3. RESPONDENT took \$2,450.00 in commissions (#98, 99)
  - 24                           4. RESPONDENT charged \$6,353.00 in turn over costs (#98,99)
  - 25                           5. RESPONDENT charged \$4380.00 for work orders and materials  
26                           (#98, 99)
- 27                   ii. The RESPONDENT collected \$23,238.00 in rent between January and  
28                   June 2018. (#92, 94).



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

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

## NOTICE OF HEARING

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

**THE HEARING WILL TAKE PLACE on March 26, 2019, commencing at 9:00 a.m., or as soon thereafter as the Commission is able to hear the matter, and each day thereafter commencing at 9:00 a.m. through March 28, 2019, or earlier if the business of the Commission is concluded. The Commission meeting will be held on March 26, 2019, at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102. The meeting will continue on March 27, 2019 at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102, commencing at 9:00 a.m., and on March 28, 2019, should business not be concluded, starting at 9:00 a.m. at the Nevada Department of Employment, Training and Rehabilitation, 2800 W. St. Louis Avenue, Conference Room, Las Vegas, Nevada 89104.**

**STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the same time as part of a regular meeting of the Commission that is expected to last from March 26, 2019 through March 28, 2019, or earlier if the business of the Commission is concluded. Thus, your hearing may be continued until later in the day or from day to day. It is your responsibility to be present when your case is called. If you are not present when your hearing is called, a default may be entered against you and the Commission may decide the case as if all allegations in the complaint were true. If you have any questions please call Evelyn Pattee, Commission Coordinator, (702) 486-4074.

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

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

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

17  
18  
19  
20  
21  
22  
23  
24  
25  
26 ///

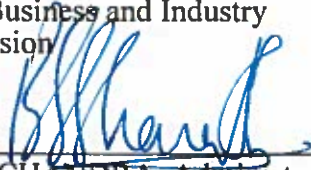
27 ///

28 ///


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

5 DATED this 21<sup>st</sup> day of February, 2019.

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, Suite 350  
12 Las Vegas, Nevada 89102

13 AARON D. FORD  
14 Attorney General

15 By:   
16 VIVIENNE RAKOWSKY (Bar. No. 9160)  
17 Deputy Attorney General  
18 DENNIS L. BELCOURT (Bar No. 2658)  
19 Deputy Attorney General  
20 555 E. Washington Avenue, Suite 3900  
21 Las Vegas, Nevada 89101  
22 (702) 486-3103  
23 Attorneys for Real Estate Division  
24  
25  
26  
27  
28