

1 1. RESPONDENT is licensed by the Division as a broker under license B.1001656.INDV, which
2 license is currently active and holds an active property management permit.

3 2. RESPONDENT has been conducting property management services since 2015 for
4 owner/landlord clients and had a brokerage relationship with Real Property Management until October
5 2, 2015.

6 3. On or around October 2, 2015, RESPONDENT terminated her relationship with Real Property
7 Management and began using the brokerage Jackpot Property Management and/or Jackpot Realty.

8 4. RESPONDENT is the owner of Jackpot Property Management and Jackpot Realty.

9 5. Despite being a property manager since 2015, over the last four years, RESPONDENT has
10 failed to submit Trust Account Reconciliation(s) to the Division, even though the Division has requested
11 them from her.

12 6. RESPONDENT has also failed to submit Form 546 (a Trust Account Reconciliation Form) to
13 the Division and supporting documents, as is required with the annual Trust Account Reconciliations.

14 7. Instead, RESPONDENT submitted a Form 546A, an Affidavit in Lieu of a Trust Account
15 Reconciliation, claiming that she had not received money belonging to others (i.e. rent money or security
16 deposits) that would have required her to deposit any such money into a separate checking account
17 designated as a trust account pursuant to NRS 645.310.

18 8. On or around March 10, 2019, Cindy Baker ("Baker") filed a complaint against
19 RESPONDENT and RPM Jackpot/Jackpot Realty.

20 9. Baker hired RESPONDENT and/or her company to manage her property located at 915
21 Vineyard Wine Avenue in Las Vegas, Nevada.

22 10. Baker began noticing that RESPONDENT failed to timely pay, or failed to pay at all,
23 rental payments that were due to her, particularly from September of 2018 through February of 2019.

24 11. Baker terminated RESPONDENT's services in February of 2019.

25 12. Baker alleged in her complaint with the Division that RESPONDENT owed her in excess
26 of \$5,291 dollars from rent due from September 2018 through February of 2019.

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1 13. During her management of the property, RESPONDENT also failed to timely provide
2 Baker with monthly statements and failed to provide her with an annual tax statement for 2018, delaying
3 her ability to file her taxes.

4 14. During her management of the property, RESPONDENT also failed to respond to Baker's
5 numerous attempts to communicate with her regarding missed rental payments and needed repairs to the
6 property's air conditioning unit.

7 15. On March 12, 2019, the Division properly gave notice to RESPONDENT that it was
8 opening an investigation and requested the transaction file for the 915 Vineyard Wine Avenue property
9 and also requested a response.

10 16. On March 27, 2019, RESPONDENT responded to the Division.

11 17. In her response to the Division, RESPONDENT claimed that the outstanding rental
12 payments were not made to Baker "due to a systemic error the system defaulted several of Ms. Baker's
13 payments from ACH to physical check payments which were never issued and/or received by Ms.
14 Baker."

15 18. RESPONDENT stated that as of March 29, 2019, she issued an electronic deposit in the
16 amount of \$975 dollars to Baker's successor management company and also issued them a check in the
17 amount of \$4,875 dollars for the past rent due.

18 19. RESPONDENT also stated that Baker's 2018 year end statement was re-issued to her on
19 March 27, 2019, and that she transferred the security deposit to Baker's new management company.

20 20. RESPONDENT failed to timely pay Baker the rental payment money due from
21 September 2018 through February of 2019.

22 21. RESPONDENT also untimely provided Baker with her 2018 annual statement by waiting
23 to provide it to her until March 27, 2019, when taxes were due April 15, 2019.

24 22. On March 13, 2019, Robert An and Li Mia (collectively "An") also filed a complaint with
25 the Division against RESPONDENT and Jackpot Realty.

26 23. An entered into a property management agreement with RESPONDENT to manage three
27 residential properties located in Las Vegas, Nevada- 9237 Harbor Stream Ave, 1205 Nevada Blaze Ave.,
28 and 3132 Alder Grove Ct.

1 24. An terminated the property management agreement with RESPONDENT on January 31,
2 2019, after RESPONDENT failed to disburse rental payments from the properties to An from November
3 and December of 2018.

4 25. An hired Avalon Realty & Oaktree Management ("Avalon") as the successor property
5 management company, effective February of 2019.

6 26. RESPONDENT failed to transfer rental payments due to An for November and December
7 of 2018.

8 27. RESPONDENT also failed to transfer security deposits to Avalon that were due.

9 28. RESPONDENT also failed to provide the invoices associated with repairs on the 12205
10 Nevada Blaze Ave. property despite repeated requests by An.

11 29. On March 18, 2019, the Division properly gave notice to RESPONDENT that it was
12 opening an investigation and requested the transaction files for An's three properties from
13 RESPONDENT and requested a response from RESPONDENT.

14 30. On April 2, 2019, RESPONDENT responded to the Division.

15 31. RESPONDENT did not deny that she failed to provide the invoices associated with repairs
16 on the 12205 Nevada Blaze Ave. property, nor did she provide them to the Division.

17 32. RESPONDENT stated that she provided An and/or Avalon any funds due for both the
18 1205 Nevada Blaze Ave. and 3132 Alder Grove Ct properties within 30 days.

19 33. RESPONDENT did not disburse rental payments for the November and December of
20 2018 rent to An timely because RESPONDENT waited until approximately March 1, 2019 to disburse
21 the rental payments.

22 34. In her response to the Division, RESPONDENT stated that with respect to the 9237
23 Harbor Stream Ave. property, the tenant was moving out and disputing the amount of money withheld
24 in the security deposit.

25 35. RESPONDENT stated that she communicated this information to Avalon on March 13,
26 2019, and on March 26, 2019, but received no response.

27 36. RESPONDENT stated that An then agreed that she could directly disburse the balance of
28 the security deposit to him instead, and that she did so on April 2, 2019.

1 37. Because An terminated the property management agreement with RESPONDENT on
2 January 31, 2019, and RESPONDENT did not pay the security deposit to An until April 2, 2019,
3 RESPONDENT failed to transfer the security deposit timely.

4 38. As part of the investigation, the Division subpoenaed RESPONDENT's bank records.

5 39. The bank account records showed that RESPONDENT collected rents that she did not
6 report to the Nevada Real Estate Division and did so under an account labeled Jean Joyce RPM Jackpot
7 Client Trust Funds and then transferred the money to a business brokerage account ending in 1053 that
8 was not a client trust account.

9 40. The bank account records showed that RESPONDENT also transferred money from a
10 client trust account to an account ending in 1079 labeled Jean Joyce RPM Jackpot Client Trust Funds.

11 41. The bank account records also showed that RESPONDENT transferred money from the
12 business brokerage account ending in 1053 to one of the accounts labeled Jean Joyce RPM Jackpot Client
13 Trust Funds.

14 42. On December 4, 2019, the Division properly sent RESPONDENT notice that it intended
15 to file a complaint for hearing against her before the Real Estate Commission.

16 CONCLUSIONS OF LAW

17 Based on the foregoing findings of fact by default, the Commission concludes by unanimous vote
18 that RESPONDENT has committed the following violations of law by default:

19 43. RESPONDENT violated NRS 645.630(1)(f) by failing within a reasonable amount of time, to
20 account for, or to remit, any money which came into her possession and belonged to others by failing to
21 timely pay Baker the funds due to her.

22 44. RESPONDENT violated NRS 645.633(1)(h) by failing to provide Baker her monthly
23 statements on a consistent basis and by untimely providing her with her 2018 tax form.

24 45. RESPONDENT violated NRS 645.633(1)(h) by failing to exercise reasonable care in
25 performing her property management duties by failing to respond to Baker regarding the air conditioner
26 unit repair.

27 46. RESPONDENT violated NRS 645.633(1)(h) because she claimed that Baker's rental
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1 payments were delayed due to a "systemic error." Had RESPONENT been exercising competent and
2 reasonable care, RESPONENT's monthly reconciliation statements (had she done them), would have
3 revealed that Baker was not receiving her rental money.

4 47. RESPONENT violated NRS 645.310(4) four times by conducting property management and
5 holding other's property in trust and then failing to submit the required Form 546 and supporting
6 documents with her Annual Trust Account Reconciliation to the Division for four years.

7 48. RESPONENT violated NRS 645.310(5) by failing to maintain a separate trust account and
8 by failing to keep record of all money deposited, including record of from whom the money was received
9 and on what date.

10 49. RESPONENT violated NRS 645.633(1)(i) on four different occasions by submitting forms
11 546A, knowing that doing so was deceitful because she was handling money belonging to others that she
12 was holding in trust (i.e. rent money and tenant deposits).

13 50. RESPONENT violated NAC 645.806 on four occasions by failing to turn in her annual Trust
14 Account Reconciliations to the Division during four consecutive years.

15 51. RESPONENT violated NRS 645.630(1)(f) by failing to timely remit to An his rental
16 payments due for November and December of 2018.

17 52. RESPONENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(6) by
18 committing gross negligence or incompetence by breaching her obligation of absolute fidelity to her
19 principal's interest or her obligation to deal fairly with all parties to a real estate transaction by failing to
20 provide An with repair invoices related to the 12205 Nevada Blaze Ave. property.

21 53. RESPONENT violated NRS 645.630(1)(h) by commingling money held in client trust
22 account(s) with her personal and/or her company's brokerage accounts.

23 54. RESPONENT violated NRS 645.630(1)(h) by converting and/or embezzling money held in
24 trust for her clients, to herself and/or her company.

25 55. RESPONENT violated NRS 645.310(5) by failing to maintain separate trust account(s) and
26 keeping records of all money deposited, including the date the money was received and from whom.

27 56. RESPONENT violated NRS 645.630(1)(g) by failing to balance the trust account(s) at least
28 monthly and by failing to submit to the Division an annual accounting of the trust account.

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ORDER

The Commission, being fully apprised in the premises, and good cause appearing to the Commission, by unanimous vote, ORDERS as follows:

1. RESPONDENT shall pay a fine to the Division in the amount of \$230,000.00 along with the Divisions costs in the amount of \$2,603.60, for a total amount due to the Division of \$232,603.60 ("Amount Due"). The Amount Due shall be payable within 60 days of the effective date of this Order.

2. The Division further revokes all real estate licenses and property management permits held by RESPONDENT.

3. The Division may institute debt collection proceedings for failure to timely pay the Amount Due, including action to reduce this Order to a judgment. Further, if collection goes through the State of Nevada, then RESPONDENT shall also pay the costs associated with collection.

4. The Commission retains jurisdiction for correcting any errors that may have occurred in the drafting and issuance of this document.

5. This Order shall become effective on the 30th day of April 2020.

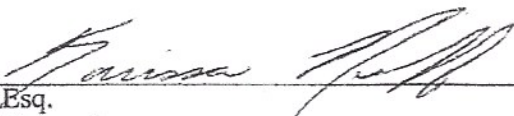
DATED this 31st day of March, 2020.

REAL ESTATE COMMISSION
STATE OF NEVADA

By: 
President, Nevada Real Estate Commission

Submitted by:

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Attorney General

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