

1 BEFORE THE REAL ESTATE COMMISSION

2 STATE OF NEVADA

3 SHARATH CHANDRA, Administrator,  
4 REAL ESTATE DIVISION, DEPARTMENT  
5 OF BUSINESS & INDUSTRY,  
6 STATE OF NEVADA,

7 Petitioner,

8 vs.

9 JEAN MARIE MCGANNON,

10 Respondent.

Case No. 2019-699

**FILED**

MAR 31 2020

REAL ESTATE COMMISSION

BY *Evelyn Pattee*

11 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

12 This matter came on for hearing before the Real Estate Commission, Department of Business  
13 and Industry, State of Nevada (the "Commission"), during a regular agenda on March 10, 2020, at the  
14 at the Grant Sawyer Building, 555 East Washington Avenue, Room 4401, Las Vegas, Nevada 89101  
15 (the "Hearing"). RESPONDENT JEAN MARIE MCGANNON (hereinafter, "RESPONDENT" or  
16 "MCGANNON") did not appear. Karissa D. Neff, Esq., Deputy Attorney General with the Nevada  
17 Attorney General's Office, appeared on behalf of the Real Estate Division of the Department of  
18 Business and Industry, State of Nevada (the "Division").

19 Ms. Neff advised the Commission that RESPONDENT had not filed an answer or otherwise  
20 appeared and had not been in contact with her prior to the Hearing.

21 Evelyn Pattee testified regarding notice sent to the RESPONDENT. The Commission found  
22 appropriate service of the notice of the Hearing was made.

23 After hearing testimony presented in this matter and for good cause appearing, the Commission  
24 now enters its Findings of Fact, Conclusions of Law, and Order by default against RESPONDENT as  
25 follows:

26 **FINDINGS OF FACT**

27 The Commission, by unanimous vote, based upon evidence presented during the Hearing, enters  
28 a finding of the following facts by default:

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

1           2. RESPONDENT was the broker and owner of Jackpot Property Management and has also done  
2 business as RPM Jackpot and Jackpot Realty.

3           3. Daniel Bryant (“Complainant” and/or “Bryant”) owned a residential property located at 3824  
4 Hollycroft Drive in North Las Vegas, Nevada and hired RESPONDENT and/or her company to provide  
5 property management services for the property.

6           4. On or around June 17, 2019, Bryant filed a complaint against RESPONDENT and RPM  
7 Jackpot with the Division stating that he was forced to repeatedly contact RESPONDENT to receive his  
8 owner’s payment from the property and was given different excuses by RESPONDENT why his rental  
9 payment was untimely.

10           5. Despite several requests, RESPONDENT also failed to provide Bryant with pre-rental  
11 inspection reports related to the rental of his property.

12           6. RESPONDENT also failed to provide Bryant with his 2018 tax documents until after he made  
13 numerous requests.

14           7. Bryant then changed property management services from RESPONDENT’s company to TOW  
15 Realty.

16           8. During the transition from terminating RESPONDENT’s company’s services and hiring TOW  
17 Realty, Bryant’s tenants moved out of the property.

18           9. RESPONDENT refused to provide Bryant with the pre-rental inspection report and photos  
19 related to the former tenants’ lease of the property, interfering with and delaying Bryant’s ability to lease  
20 the property to new tenants.

21           10. The Division determined that RESPONDENT violated NRS 645.633(1)(h) pursuant to  
22 NAC 645.605(6) by committing gross negligence or incompetence by breaching her obligation of  
23 absolute fidelity to her principal’s interest or her obligation to deal fairly with all parties to a real estate  
24 transaction.

25           11. The Division also determined that RESPONDENT violated NRS 645.633(1)(h) pursuant  
26 to NAC 645.605(11)(a) and (b) by committing gross negligence or incompetence by failing to respond  
27 to the Division and/or to provide documents.

28           12. On October 8, 2019, the Division properly gave RESPONDENT notice of its issued Notice of

1 Violation with Imposition of Administrative Fine and imposed an administrative fine in the amount of  
2 \$1,000 ("Administrative Fine") against RESPONDENT that was to be paid by November 9, 2019.

3 13. To date, RESPONDENT has failed to pay the Administrative Fine due to the Division and has  
4 failed to respond to the Division.

5 14. On December 5, 2019, the Division properly gave RESPONDENT notice that it was  
6 commencing disciplinary action against her.

### 7 CONCLUSIONS OF LAW

8 Based on the foregoing findings of facts by default, the Commission concludes by unanimous  
9 vote that RESPONDENT has committed the following violations of law by default:

10 1. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(6) by  
11 committing gross negligence or incompetence by breaching her obligation of absolute fidelity to her  
12 principal's interest or her obligation to deal fairly with all parties to a real estate transaction.

13 2. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(11)(a) and NAC  
14 645.605(11)(b) by failing to provide documents and/or respond to the Division.

### 15 ORDER

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

18 1. RESPONDENT shall pay an administrative fine to the Division in amount of \$20,000.00,  
19 along with the Division's costs in the amount \$987.44, for a total amount of \$20,987.44 due to the  
20 Division ("Amount Due"). The Amount Due shall be payable to the Division within 60 days of the  
21 effective date of this Order.

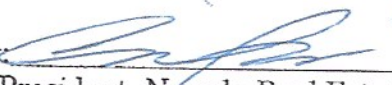
22 2. The Division may institute debt collection proceedings for failure to timely pay the Amount  
23 Due, including action to reduce this Order to a judgment. Further, if collection goes through the State of  
24 Nevada, then RESPONDENT shall also pay the costs associated with collection.

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

27 4. This Order shall become effective on the 30<sup>th</sup> day of April 2020.

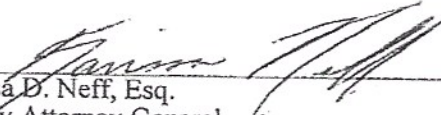
28 DATED this 31<sup>st</sup> day of March, 2020.

STATE OF NEVADA

By:   
President, Nevada Real Estate Commission

Submitted by:

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