

1 **BEFORE THE REAL ESTATE COMMISSION**

2 **STATE OF NEVADA**

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

8 Petitioner,

9 vs.

10 CINDY KRSHUL,

11 Respondent.

Case No. 2018-1703

COMPLAINT AND NOTICE OF  
HEARING

**FILED**

JUL 28 2020

REAL ESTATE COMMISSION

BY *Emily Patten*

12 The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND  
13 INDUSTRY OF THE STATE OF NEVADA ("Division"), by and through its counsel, Aaron  
14 D. Ford, Attorney General of the State of Nevada, and Peter Keegan, Deputy Attorney  
15 General, hereby notifies RESPONDENT CINDY KRSHUL ("RESPONDENT") of an  
16 administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION  
17 ("Commission"). The hearing will be held pursuant to Chapter 233B and Chapter 645 of the  
18 Nevada Revised Statutes ("NRS") and Chapter 645 of the Nevada Administrative Code  
19 ("NAC"). The purpose of the hearing is to consider the allegations stated below and to  
20 determine if the RESPONDENT should be subject to an administrative penalty or other  
discipline, authorized by NRS 645 and/or NAC 645, if violations of law are proven.

21 **JURISDICTION**

22 RESPONDENT engaged in activities, which require a license as a real estate broker,  
23 real estate broker-salesperson, or real estate salesperson, and/or a permit to engage in  
24 property management, issued by the Division, and is, therefore, subject to the jurisdiction  
25 of the Division and the Commission, and the provisions of NRS and NAC 645.

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1 **PROCEDURAL HISTORY**

2 1. On or about December 13, 2018, the Division received a statement of fact  
3 (“complaint”) complaining that the RESPONDENT had engaged in unlicensed property  
4 management, failed to remit rental payments and security deposits timely, and was  
5 unresponsive to owners.

6 2. On or about December 17, 2018, the Division sent an investigation-opening  
7 letter to RESPONDENT, which required RESPONDENT to provide a sworn statement  
8 responding to the complaint and a complete copy of the broker’s file for the property in  
9 question by December 31, 2018.

10 3. On or about January 14, 2019, the Division received the RESPONDENT’s  
11 sworn affidavit and a partial copy of the brokerage file for the property in question.

12 4. On or about February 5, 2019, the Division received additional documentation  
13 from the broker’s property management file in question.

14 5. On or about May 21, 2019, the Division received a copy of the lease agreement  
15 for the property in question.

16 6. On or about May 29, 2019, the Division sent RESPONDENT an NRS 233B  
17 letter indicating that the Division’s investigation had obtained sufficient evidence to  
18 commence disciplinary action by filing a complaint with the Nevada Real Estate  
19 Commission (“Commission”).

20 **FACTUAL ALLEGATIONS**

21 1. The Division issued RESPONDENT a corporate real estate broker’s license,  
22 B.1000682.CORP, on August 20, 2010.

23 2. The Division issued RESPONDENT an individual real estate broker’s license,  
24 B.1002017.INDV, on August 16, 2017.

25 3. The Division issued RESPONDENT a property manager’s permit,  
26 PM.164639.BKR, on August 30, 2010.

27 4. RESPONDENT has been a licensee since April 12, 2005.

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1 **DISCIPLINE AUTHORIZED**

2 1. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to  
3 impose an administrative fine of up to \$10,000 per violation against RESPONDENT and  
4 further to suspend, revoke or place conditions on the license of RESPONDENT.

5 2. Pursuant to NRS 645.235(2), the Commission is empowered to impose an  
6 administrative fine of up to the amount of any gain or economic benefit derived from the  
7 violation or \$5,000.00, whichever amount is greater, per violation against RESPONDENT.

8 3. Pursuant to NRS 645.314, the Division is authorized to request  
9 reimbursement of its investigative costs where the investigation was undertaken for  
10 disciplinary purposes.

11 4. Additionally, under NRS 622.400, the Commission is authorized to impose  
12 costs of the proceeding upon RESPONDENT, including investigative costs and attorney's  
13 fees, if the Commission otherwise imposes discipline on RESPONDENT.

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

16 **NOTICE OF HEARING**

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

21 **THE HEARING WILL TAKE PLACE** at the Commission meeting scheduled for  
22 September 1-3, 2020, beginning at approximately 9:00 a.m. each day, or until such time as  
23 the Commission concludes its business.

24 If the Governor's Emergency Directive 006 - suspending physical location  
25 requirements - is extended through the date of the meeting, then the hearing will be held  
26 via meeting. The Commission uses WebEx for its meetings. To join the hearing go to the  
27 Webex.com website and put in the Access code and Attendee ID:

28 **TUESDAY, SEPTEMBER 1, 2020** Meeting number (Access code): 146 276 8028

1 Password (Attendee ID): MgCrCbJq662 (64272257662 from phones and video systems)

2 **WEDNESDAY, SEPTEMBER 2, 2020** Meeting number (Access code): 146 650 1911

3 Password (Attendee ID): 2rGzteBYY24 (27498329924 from phones and video systems)

4 **THURSDAY, SEPTEMBER 3, 2020** Meeting number (Access code): 146 520 3582

5 Password (Attendee ID): umV3mJJ2gP2 (86836552472 from phones and video systems)

6 If you do not have internet access, you may attend by phone at 1-844-621-3956 using  
7 the meeting numbers and passwords listed above. Some mobile devices may ask attendees  
8 to enter a numeric meeting password provided above.

9 If Emergency Directive 006 is not extended and the meeting is held in person, then  
10 the meeting will be located at the following locations:

11 Nevada State Business Center  
12 Real Estate Division  
13 3300 West Sahara Avenue, Suite 350  
14 Las Vegas, NV 89102

15 If you would like an email containing this information, before the hearing, please  
16 contact Evelyn Pattee, Commission Coordinator, at (702) 486-4074 or [epattee@red.nv.gov](mailto:epattee@red.nv.gov).

17 **STACKED CALENDAR: Your hearing is one of several hearings scheduled**  
18 **at the same time as part of a regular meeting of the Commission that is expected**  
19 **to last from September 1st through September 3, 2020, but may end earlier if the**  
20 **business of the Commission is concluded. Thus, your hearing may be continued**  
21 **until later in the day or from day to day. It is your responsibility to be present**  
22 **when your case is called. If you are not present when your hearing is called, a**  
23 **default may be entered against you and the Commission may decide the case as**  
24 **if all allegations in the complaint were true. If you have any questions please call**  
25 **Evelyn Pattee Commission Coordinator (702) 486-4074.**

26 **YOUR RIGHTS AT THE HEARING:** except as mentioned below, the hearing is an  
27 open meeting under Nevada's open meeting law, and may be attended by the public. After  
28 the evidence and arguments, the commission may conduct a closed meeting to discuss your  
alleged misconduct or professional competence. You are entitled to a copy of the transcript

1 of the open and closed portions of the meeting, although you must pay for the transcription.

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

9 You have the right to request that the Commission issue subpoenas to compel  
10 witnesses to testify and/or evidence to be offered on your behalf. In making the request,  
11 you may be required to demonstrate the relevance of the witness' testimony and/or  
12 evidence. Other important rights you have are listed in NRS 645.680 through 645.990, NRS  
13 Chapter 233B, and NAC 645.810 through 645.920.

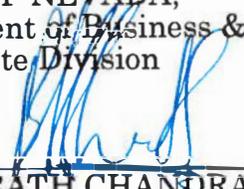
14 The purpose of the hearing is to determine if the RESPONDENT has violated NRS  
15 645 and/or NAC 645 and if the allegations contained herein are substantially proven  
16 by the evidence presented and to further determine what administrative penalty, if any, is  
17 to be assessed against the RESPONDENT.

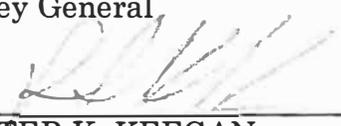
18  
19 DATED this 23 day of July, 2020.

DATED this 22nd day of July, 2020.

20 STATE OF NEVADA,  
21 Department of Business & Industry  
22 Real Estate Division

AARON D. FORD  
Attorney General

23 By:   
24 SHARATH CHANDRA  
25 Administrator  
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27 Las Vegas, Nevada 89102

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