

# Open House

*A newsletter for Nevada Real Estate Licensees*

*May / June / July / August 2020*



## **The Mission of the Nevada Real Estate Division:**

To protect the public and Nevada's real estate sectors by fairly and effectively regulating real estate professionals through licensure, registration, education and enforcement.





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## IN THIS ISSUE

- 1 Stay Home for Nevada – Renew Online!
- 2 Classroom Delivery Method Temporarily Expanded to Include Live-streaming for Post and CE Courses
- 3 FAQs on License, Permit and Certificate Renewals
- 5 Nevada Realtors Guidance on Open Houses and In-Person Showings
- 7 Roadmap to Recovery for Nevada: Real Estate/Leasing
- 10 Disciplinary Actions/ Stipulations  
*Compiled by Erica Arnold, Publications Writer*
- 13 Real Estate Statistics as of May 2020  
*Compiled by Erica Arnold, Publications Writer*



# Stay Home for Nevada — Renew Online!

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**R**enewing your license has never been easier, with online renewals now available for a variety of licenses, permits, and certificates.

To renew online, you'll first need to establish your My Account on the Division's website. If you haven't logged in before, your user ID is your license number without the leading zeros and suffix (e.g. license number BS.00123.LLC would become user ID BS.123), and your password is the last four digits of your social security number. If you're logging in for the first time, you'll be prompted to set up security questions.

Once you've logged in and set up your security questions, you will be able to click the "Start/Continue Renewal" link on the left-hand side of the page to begin the renewal process. If you don't see your credential listed, your license is most likely more than 45 days from its expiration date.

Once you initiate the process, you will be prompted to answer a series of questions regarding residency, license status, education (including CE certificate upload), child support and criminal history. After you've answered each of the questions, you'll click "Add to Invoice." At this time you'll be able to see the total amount due as well as a breakdown of fees. (Please note there is a convenience fee for all credit card transactions.)

If you have an additional license, permit or certificate in need of renewal, you'll return to the "Start/Continue Renewal" page. If not, you'll select "Pay Invoice," enter your credit card details, and voila: your license is renewed!

Should you have any issue with renewing online, you can contact the Division for assistance at (702) 486-4033 or [realest@red.nv.gov](mailto:realest@red.nv.gov).



Online renewals are also available for Real Estate CE and Post-licensing courses, Appraisal CE courses, and Community Manager CE courses. If you're a sponsor and do not already have a user ID and login, please contact the Education Section at (702) 486-0951 or [Realest@red.nv.gov](mailto:Realest@red.nv.gov) to get started.





## Classroom Delivery Method Temporarily Expanded to Include Live-streaming for Post and CE courses

**D**uring the Governor's emergency declaration, for health and safety reasons and in keeping with the State of Nevada and CDC's Guidance regarding the Coronavirus, the Division has temporarily expanded live classroom delivery to include courses offered online through live-streaming.

This guidance applies to post-licensing and continuing education courses that are currently approved or pending approval for live, in-class delivery.

In order for sponsors to provide courses in this temporary format, they must submit the appropriate form to the Division for approval. For sponsors considering expanding their delivery based on the new guidance, please keep the following in mind:

This new guidance only applies to post-licensing and continuing education programs that are currently approved or already in pending approval.

NRED does not recommend one live-streaming service over another. However, we do require that the

service allows the provider to be connected to all students at the same time through real-time sight and sound.

The preferred system will track and record participant logins, however, if that technology is not available, the instructor or a proctor will be required to track and record attendance for credit, manually.

While NRED does not put a limit on the number of students in a particular class we urge providers utilizing the revised learning format to limit class sizes to those they can manage with utilized technology both to allow participation and accurately monitor attendance, using this format is very different from a live classroom situation and requires new teaching techniques.

Any approved provider that chooses to move to this revised education mode **MUST** complete [form 730](#) and email it to the Education Section at [education@red.nv.gov](mailto:education@red.nv.gov). The Division will send them an e-mail to confirm receipt and this will serve as a tracking mechanism for the Division.

## Q&A

### IS TESTING REQUIRED?

For post-licensing, yes. For CE, only if the course is eight hours or longer on any given day. In this format, we recommend incorporating student exercises throughout class to encourage engagement and participation.

### DO I NEED TO SUBMIT ROSTERS?

Yes, you must always adhere to [NAC 645.455 \(4\)\(b\)](#) and submit your rosters as required within three (3) business days using form 785A, to [education@red.nv.gov](mailto:education@red.nv.gov)

### DO I NEED TO SUBMIT EVALUATION SUMMARIES?

Yes, you must always adhere to [NAC 645.444 \(2\)\(b\)](#) and submit copies of the completed evaluations to the Division within 10 working days after the last day of class using form 612C, to [Evals@red.nv.gov](mailto:Evals@red.nv.gov).

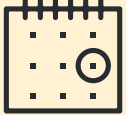
### CAN I SUBMIT FORM 730 FOR MY EXISTING DISTANCE EDUCATION COURSES?

No. This expanded live delivery method only applies to existing live courses.

### WILL LIVE-STREAMING COURSES COUNT EVEN FOR THOSE WHO DON'T RENEW UNTIL 2021?

Yes. Live-streaming courses will fulfill the live requirement for any licensee.

# FAQs on License, Permit and Certificate Renewals



**My license, certificate, permit, or registration renewal is due in May 2020. Are there any renewal extensions?**

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No. If you do not renew on or before your renewal date, your license, certificate, permit or registration will expire.



**My license, certificate, permit, or registration renewal is due in May 2020, but I have not completed my educational requirements. Will I be able to renew?**

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Yes. You will be allowed to renew your license, certificate, permit, or registration on or before the due date. The Division will document the educational requirements that have yet to be submitted and give you a 90-day extension on your educational requirements.



**What if my license, certificate, permit, or registration renewal was due in March or April 2020? Do I still have an extension?**

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Yes. The Division was temporarily closed and unable to process renewals. For this loss of time, the Division is allowing renewals due in March and April to renew in May without a penalty.



**Will March and April renewals (due in May) be allowed an extension on their educational requirements?**

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Yes. The Division will document the educational requirements that have yet to be submitted and give you a 90-day extension on your educational requirements.

## FAQs continued



### **My license, certificate, permit, or registration renewal is due in May 2020. Do I have to pay?**

Yes. Real estate is deemed an “Essential Business” and the Nevada Real Estate Division is working hard to provide all our services to constituents.



### **Are the Nevada Real Estate Division (NRED) offices open to the public?**

No. Due to the Governor’s Directives regarding social distancing, the protection of Division staff and constituents, NRED is currently closed to the public.



### **Is the Nevada Real Estate Division (NRED) open for business?**

Yes. NRED is still providing many services online and Division staff is available and telecommuting to prevent the spread of COVID-19. NRED transitioned in-person services to mail, online, email and over the phone. NRED is committed to serving our constituents and request your patience and help as we undertake these important precautionary measures.



### **Can I renew online?**

Yes. This is now the preferred method for renewal. Please see your [MY ACCOUNT](#) on the Division's website.



### **What if I need to reset my online password?**

Contact the Division by calling (702) 486-4033 and leave a voicemail or send an email to [realest@red.nv.gov](mailto:realest@red.nv.gov). Licensing staff will respond and provide assistance.



## **UPDATED GUIDANCE- Open House and In-Person Showings Guidance- Governor's Directive**

*By Tiffany Banks, Nevada REALTORS® General Counsel*

On May 7<sup>th</sup>, Governor Sisolak announced his Phase One Roadmap to Recovery (Emergency Directive 018) which extends Directive 013 (limiting open houses) until **May 30<sup>th</sup>, 2020**. What does that mean for us and for the real estate industry as a whole? Read below to find out.

### **Can I do open houses beginning on May 16<sup>th</sup> for seller occupied or vacant properties?**

*Nothing has changed* as far as the Governor's guidance on no open houses at this time. The ONLY thing that has changed is **his directive has been extended until May 30<sup>th</sup>**. In addition, REALTORS® should make every effort to avoid in-person transactions and services to the extent practicable. While you as a REALTOR® are still deemed an *essential service*, how you conduct yourself at this time could potentially impact that designation in the coming weeks and months. Although **one-on-one showings** are still allowed in non-tenant occupied properties, be sure to adopt precautionary measures and COVID-19 risk mitigation practices to minimize the risk of spread of the disease.

When **open house activity does resume after May 30<sup>th</sup>\***, it is imperative that everyone follow proper social distancing guidelines as prescribed by the CDC including:

- Limiting the amount of people in the property at one time and limiting the amount of people to no more than 10 congregating outside the property;
- Using Strict sanitation measures, including cleaning in between potential buyers viewing the property;
- Promote frequent and thorough hand washing, including visitors with a place to wash their hands. If soap and running water are not immediately available, provide alcohol-based hand rubs containing at least 60% alcohol.
- PPE usage- Any employee, or agent of the brokerage who interacts with the general public is encouraged to wear appropriate face coverings/masks and proper PPE;
- Monitoring illness- Anyone sick, feeling sick or recently sick should stay home.

### **Can I do open houses beginning on May 16<sup>th</sup> for tenant occupied properties?**

Open houses for tenant occupied properties continues to not be permitted until after May 30<sup>th</sup>. **There are no exceptions.** As this is a constantly evolving situation this date too may be extended by an additional Governor directive in the coming weeks so stayed tuned. In the meantime, it remains imperative that property managers and landlords consider everyone's health and safety first and achieve their marketing needs using predominantly virtual platforms.



**Under this directive can a tenant refuse to allow *in person showings* of the property they are residing in? Does this only apply to tenant occupied property?**

Yes. This directive regarding *in person showings* ONLY applies to properties where tenants are residing. This means that until May 30<sup>th</sup>, in-person showings are impermissible in properties where tenants are residing.

**Can the tenant agree to take pictures of the property and send to seller for a virtual tour?**

Yes, if the tenant agrees, the tenant can take pictures, videos or other virtual access and send them to the property owner. The tenant cannot be forced or coerced into taking these pictures and videos. The REALTOR® can then create a virtual tour that can be used to market the property. This means that when marketing the property, you as a REALTOR® can use three-dimensional interactive property scans, virtual tours, and virtual staging to showcase a property.

**Do you anticipate closings and signings to be delayed in the coming weeks?**

Brokers and agents are encouraged to use e-notary processing for all transactions moving forward. All efforts should be made to ensure that fraudulent activities do not occur utilizing the e-notary systems. It is strongly encouraged that all parties work closely at this time on innovative ways to keep transactions closing as required in the real estate contract.

Please keep following Nevada REALTORS'® updates through our Facebook page, e-news and on our website under our COVID-19 tab. We will be updating articles as updates become available. ***If the May 30<sup>th</sup> date gets extended\*, we will be sure and let you know.*** We are continuing to work on issues that impact our members and their clients. For legal questions email [info@nvrealtors.org](mailto:info@nvrealtors.org).

Statements made by the Nevada REALTORS® Legal Information Line attorneys on the telephone, in e-mails, or in legal eNews articles are for informational purposes only. Nevada REALTORS® staff attorneys provide general legal information, not legal representation or advice regarding your real estate related questions. No attorney-client relationship is created by your use of the Legal Information Line. You should not act upon information you receive without seeking independent legal counsel. Information given over the Legal Information Line or in these articles is for your benefit only. Do not practice law or give legal advice to your clients! Inform your clients they must seek their own legal adv





NEVADA  
HEALTH  
RESPONSE

# Roadmap to Recovery for Nevada

## Real Estate/Leasing



Pursuant to Section 6 of Declaration of Emergency Directive 013, open house showings, and in-person showings of single family and multi-family residences currently occupied by renters of real estate on the market for sale, are prohibited until May 15, 2020. The provision does not prohibit the use of existing three-dimensional (3-D) interactive property scans, virtual tours, and virtual staging to showcase a property, and it allows, but does not require, the tenant to agree to provide photos, videos, or other virtual access to the property owners for this use. Additionally, Section 6 of the Declaration of Emergency Directive 013 provides that real estate professionals engaged in real estate sales during the state of emergency shall adopt precautionary measures and COV ID-19 risk mitigation practices to minimize the risk of spreading the disease and are encouraged to avoid in-person transactions and services to the extent practicable. The provisions set forth in Section 6 of the Declaration of Emergency Directive 013 shall not be construed to limit the sales of real estate during the state of emergency.

### Team Member Guidance:

- **Team Member Safety:**

- Your team members must be able to work safely in the community and must observe the Centers for Disease Control (CDC) guidelines **at all times**. Full CDC guidance can be found [here](#).
- Consider reminding your team that working outside their home continues to be voluntary.
- If your team members are healthy, not in a high-risk category, able and willing to support your team, and support customers face-to-face, consider allowing them to do so. For those team members that cannot do so, consider no consequences, no repercussions, and no retaliation against them.
- Encourage open dialogue with your team members and ensure proper record keeping regarding the communication.
- Require frequent and thorough hand washing, including providing workers, customers, and worksite visitors with a place to wash their hands. If soap and running water are not immediately available, provide alcohol-based hand sanitizer.
- Remind your team to practice social distancing by keeping six (6) feet of separation between themselves and others.
- Post informational signs regarding social distancing, facial coverings and what to do if symptomatic.

- Daily deep disinfection of high contact surfaces (e.g. door handles, light switches, seats, railings, cabinetry handles, appliance handles, toilets, countertops, phones, tables, etc.). Use disinfectants outlined on [EPA List N](#).
- Empower sales agents to cancel appointments and request cleaning or disinfecting if she/he ever feels unsafe in a sales office.
- **Team Members Age 65 Years or Older or Have a Personal Immune or Respiratory Health Condition:**
  - Based on currently available information and clinical expertise, the CDC states that older adults (65 years and above) and people of any age who have serious underlying medical conditions might be at higher risk for severe illness from COVID-19.
  - Due to that, consider allowing those who are age 65 or older to work virtually from home until conditions change. Prepare for your sales agents that are in this category to not work on-site at the sales offices or models. The same provisions should apply to sales agents of any age who have respiratory, heart, kidney, liver, diabetes or other immune-compromised (e.g. cancer) health conditions.
- **Follow State and Local Authority Requirements at All Times:**
  - There are state and local laws and ordinances, specific to each city or county in some cases, that determine whether and under what circumstances we can perform elements of our business. You must know, understand, and follow these requirements, with help from your regional counsel. These requirements can include but are not limited to:
    - Signage;
    - Cleaning schedules;
    - Personal protective equipment; and
    - Other things specific to an area.
- **Daily Confirmation from Agents/Team Members at New Developments:**
  - You should consider having your team members email their Owner Developer, Broker and/or Office Manager confirming their willingness to volunteer to work at their assigned community and that they are healthy and symptom-free of COVID-19. Owner Developer, Broker and/or Office Managers should save all the daily emails in a virtual or physical folder to maintain records.
  - The following questions should be answered by your team members in the daily email:
    - Please confirm that their decision to work at a physical sales model/office location is completely voluntary.
    - Are they and everyone in their home feeling well? No respiratory illness or any flu-like symptoms or a fever? And, no current quarantine orders?
    - Do they know if they or an immediate family/friend have been exposed to COVID-19?
    - Based on CDC recommendation for those that are at higher risk, confirm that they are under the age requirement and exempt from any of these health conditions.

#### **Sales Office and Model Home Guidance:**

- **Number of People Allowed:**
  - Staff accordingly, but not excessively. In some cases, for larger communities it may be necessary to have more than one agent on-site. However, the overall number should be limited to maintain safe social distancing practices.

- Sales partners must make their best efforts to not set customer appointments on the same day in order to minimize the number of unique people in the space during that day. If this can't be avoided, a full cleaning of the space must be conducted in between showings – whether on the same day or not.
- Customers are limited to two (2) individuals at a specific appointment, plus one (1) engaged broker/realtor, and only if allowed under local rules. At no time, should there be more than four (4) individuals (may be limited to three (3) in certain jurisdictions) in a sales model at any given time. Children under 12 years of age should not be allowed in sales offices or models at any time.
- All visitors to the sales offices/models must sign-in. A record of each appointment or visit should be made.
- Social distancing must always be maintained.
- If a customer arrives unannounced, a sales agent may proceed to make a “real-time” appointment as long as the above rules are followed, the new appointment will not conflict with a previously scheduled appointment, and only if the customer (and broker/realtor, if applicable) properly answers the questions listed below under “Customer Questions Prior to Appointment.” The space they are viewing should also be cleaned prior to showing.

- **Meeting with Customers at Communities:**

- Based on the size of offices, please avoid using them during this period of adjusted protocols. Instead, sales agents may want to send their customers through the sales office entrance, topography maps, and touchscreens (if applicable) directly to the model homes, and/or utilize the following social distancing and cleanliness best practices:
  - If you utilize a touch screen, please take the lead and use this tool to show your customers different features of the models. Please ask the customer to refrain from touching the screen directly as you will operate the device for them.
  - Set-up a make-shift desk area using the dining tables and/or kitchen and bar counters in the models to accommodate six (6) feet of social distancing.
  - Consider using an online program for completing sales contracts. Avoid physical sharing of pens, paper, or other objects during your appointments.
  - Continue with prior protocol of social distancing, no handshakes, or any other type of physical contact.
  - In some locations, local authorities have recommended that individuals wear face covers (masks) when in public places. For sales agents in these areas, please follow local recommendations and wear face coverings while at your community sales models meeting customers. In other jurisdictions where local authorities have not made face mask requests, you should still encourage your team members to wear facial coverings. **REMINDER** –Based on the above CDC recommendations, sales representatives and RSM's should follow all **Disinfecting Protocols** at their respective communities.

- **Customer (and Broker/Agent, if applicable) Questions Prior to Appointment:**

- Prior to a customer/broker visiting the community, the sales agent should send an email inquiring:
- If the customer/broker has had any illness, exposure to the illness or been subject to a quarantine, then the sales counselor should postpone the appointment immediately and reschedule to a later date.
- If the sales agent has reason to doubt the accuracy of the response(s), she/he can do the same.



# DISCIPLINARY ACTIONS / STIPULATIONS

## ACTIONS/DECISIONS

Real Estate Commission actions are not published in this newsletter until the 30-day period allowed for filing for Judicial Review has passed. A Respondent's license is automatically suspended for failure to comply with a Commission Order, and the Division may institute debt collection proceedings to recover fines and costs.

## ALLEGATIONS/STIPULATIONS

Stipulations occur when both the Respondent and Division have agreed to settlement conditions. A stipulation may or may not be an admission of guilt. Stipulations are presented to the Commission for final approval.



Disciplines that are the subject of a judicial review are in *italics*. A Respondent's license is automatically suspended for failure to comply with a Commission Order, and the Division may institute debt collection proceedings to recover fines and costs.

NAME	EFFECTIVE DATE	ALLEGATIONS / VIOLATIONS	DISCIPLINE / SETTLEMENT
Britton, Frederick <a href="#">2017-2125</a> S.175080 (Revoked)	April 2020	Violated <a href="#">NRS 645.630(1)(a)</a> by making misrepresentations and <a href="#">NRS 645.633(1)(i)</a> by engaging in conduct that was deceitful, fraudulent, or dishonest on several occasions by holding himself out as the owner of the Property when he was not; <a href="#">NRS 645.630(1)(a)</a> by making misrepresentations and <a href="#">NRS 645.633(1)(i)</a> by engaging in conduct that was deceitful, fraudulent, or dishonest on several occasions by wrongfully holding himself out as a tenant of the Property; and <a href="#">NRS 645.635(1)</a> by preparing a listing agreement for the property dated April 12, 2017 when his client had not yet closed on the property and did not own it.	\$15,000 fine
Britton, Frederick <a href="#">2018-161</a> S.175080 (Revoked)	April 2020	Violated <a href="#">NRS 645.633(1)(i)</a> by engaging in deceitful, fraudulent or dishonest dealings by misleading Complainant into issuing Cashier's Checks to the Respondent's personal business entity, claiming that they were to be used as an earnest money deposit in connection with Complainant's purchase of a residential property. Respondent then kept the money, despite not making any offer on any residential property on Complainant's behalf or entering into any purchase agreement on Complainant's behalf.	\$1,111.80 in Division costs License revoked
Cordova Jr., Manuel <a href="#">2017-2134</a> S.180944 (Closed)	April 2020	Respondent is alleged to have violated <a href="#">NRS 645.230(1)(b)</a> by engaging in property management activity without first obtaining from the Real Estate Division the necessary permit.	\$1,500 fine
Dolginov, Alexey <a href="#">2017-48</a> S.172165	April 2020	Violated <a href="#">NRS 645.630(1)(k)</a> or <a href="#">NAC 645.605(6)</a> by failing to deposit the earnest money deposit and <a href="#">NRS 645.633(1)(h)</a> or <a href="#">NAC 645.632</a> by his delayed notice of cancellation.	\$5,000 fine

NAME	EFFECTIVE DATE	ALLEGATIONS / VIOLATIONS	DISCIPLINE / SETTLEMENT
Dunlap, Kevin <a href="#">2017-48</a> S.172165 (Surrendered)	March 2020	Violated <a href="#">NRS 645.230(1)(b)</a> by engaging in property management without a permit to do so when he received rent money and a security deposit; <a href="#">NRS 645.633(1)(h)</a> , <a href="#">NAC 645.610(1)(c) or (e)</a> or <a href="#">NAC 645.611(4)</a> in using the nickname Trident Investment Group to advertise properties and not clearly identifying the broker's name with prominence; <a href="#">NRS 645.630(1)(i)</a> when he collected rent from a tenant but did not remit it to his broker; <a href="#">NRS 645.252(1)(d)</a> in failing to obtain written consent to act on behalf of both parties to a lease agreement; and <a href="#">NRS 645.630(1)(a)</a> by making material misrepresentations in advertising lease options on his website.	Respondent agreed to the immediate surrender of his license and to refrain from applying for another license, permit, or certificate issued by the Real Estate Division for 10 years. \$773.08 in Division costs
Hook, Terri Jo <a href="#">2017-647</a> S.69235 (Active)	April 2020	Violated <a href="#">NAC 645.448</a> by failing to provide the Division with proof of her satisfying the necessary continuing education requirements to renew her license during the required time period set forth in administrative code and failed to timely pay the Division imposed fine of \$250 and/or otherwise timely respond to the Division regarding her desire to request an appeal.	\$250 fine along with Division costs in the amount of \$2,981.69
McGannon, Jean Marie <a href="#">2019-246</a> B.1001656 (Revoked)	April 2020	Violated <a href="#">NRS 645.630(1)(f)</a> by failing within a reasonable amount of time to account for, or to remit, any money which came into her possession and belonged to others by failing to timely pay Complainant the funds due to her; <a href="#">NRS 645.633(1)(h)</a> by failing to provide Complainant her monthly statements on a consistent basis and by ultimately providing her with her 2018 tax form; <a href="#">NRS 645.633(1)(h)</a> by failing to exercise reasonable care in performing her property management duties by failing to respond to the Complainant regarding a repair; <a href="#">NRS 645.633(1)(h)</a> because she claimed that the Complainant's rental payments were delayed due to a "systemic error"; <a href="#">NRS 645.310(4)</a> four times by conducting property management and holding other's property in trust and then failing to submit the required Form 546 and supporting documents with her Annual Trust Account Reconciliation to the Division for four years; <a href="#">NRS 645.310(5)</a> by failing to maintain a separate trust account and by failing to keep record of all money deposited, including record of from whom the money was received and on what date; <a href="#">NRS 645.633(1)(i)</a> on four different occasions by submitting form 546A, knowing that doing so was deceitful because she was handling money belonging to others that she was holding in trust; <a href="#">NAC 645.806</a> on four occasions by failing to turn in her annual Trust Account Reconciliations to the Division during four consecutive years; <a href="#">NRS 645.630(1)(f)</a> by failing to timely remit to a client his rental payments due for November and December of 2018; <a href="#">NRS 645.633(1)(h)</a> pursuant to <a href="#">NAC 645.605(6)</a> by committing gross negligence or incompetence by breaching her obligation of absolute fidelity to her principal's interest or her obligation to deal fairly with all parties to a real estate transaction by failing to provide a client with repair invoices related to a property; <a href="#">NRS 645.630(1)(h)</a> by commingling money held in client trust account(s) with her personal and/or her company's brokerage accounts; <a href="#">NRS 645.630(1)(h)</a> by converting and/or embezzling money held in a trust for her clients, to herself and/or her company; <a href="#">NRS 645.310(5)</a> by failing to maintain separate trust account(s) and keeping records of all money deposited, including the date the money was received and from whom; and <a href="#">NRS 645.630(1)(g)</a> by failing to balance the trust account(s) at least monthly and by failing to submit to the Division an annual accounting of the trust account.	\$15,000 fine License revoked
McGannon, Jean Marie <a href="#">2019-699</a> B.1001656 (Revoked)	April 2020	Violated <a href="#">NRS 645.633(1)(h)</a> by pursuant to <a href="#">NAC 645.605(6)</a> by committing gross negligence or incompetence by breaching her obligation of absolute fidelity to her principal's interest or her obligation to deal fairly with all parties to a real estate transaction; and <a href="#">NRS 645.633(1)(h)</a> pursuant to <a href="#">NAC 645.605(11)(a)</a> and <a href="#">NAC 645.695(11)(h)</a> by failing to provide documents and/or respond to the Division.	\$20,000 fine

NAME	EFFECTIVE DATE	ALLEGATIONS / VIOLATIONS	DISCIPLINE / SETTLEMENT
McGannon, Jean Marie <a href="#">2019-878</a> B.1001656 (Revoked)	April 2020	Violated <a href="#">NRS 645.630(1)(f)</a> by failing within a reasonable amount of time to account for, or to remit, any money which came into her possession and belonged to others by failing to pay her clients the funds owed; <a href="#">NRS 645.633(1)(h)</a> pursuant to <a href="#">NRS 645.6056</a> by failing to obtain a new management agreement with her client after taking over the management of the client's properties from another broker; <a href="#">NRS 645.630(1)(f)</a> by failing within a reasonable amount of time to account for, or to remit, any money which came into her possession and which belonged to others by failing to pay clients the rental money and tenant security deposits owed; <a href="#">NRS 645.630(1)(f)</a> by failing within a reasonable amount of time to account for, or to remit, any money which came into her possession and which belong to others by failing to pay Ombao the rental money and security deposit funds owed; <a href="#">NRS 645.630(1)(f)</a> by failing within a reasonable amount of time to account for, or to remit, any money which came into her possession and which belonged to others by failing to pay Gallego and/or Atlas the funds due; <a href="#">NRS 645.630(1)(f)</a> by failing within a reasonable amount of time to account for, or to remit, any money which came into her possession and which belonged to others by failing to pay Jensen the funds due; <a href="#">NRS 645.630(1)(f)</a> by failing within a reasonable amount of time to account for, or to remit, any money which came into her possession and which belonged to others by failing to pay Andre the funds due; <a href="#">NRS 645.630(1)(f)</a> by failing within a reasonable amount of time to account for, or to remit, any money which came into her possession and which belonged to others by failing to pay Parsons the funds due; <a href="#">NRS 645.630(1)(f)</a> by failing within a reasonable amount of time to account for, or to remit, any money which came into her possession and which belonged to others by failing to pay Johnson the funds due; <a href="#">NRS 645.633(1)(h)</a> by failing to comply with her duties set forth in <a href="#">NRS 118A.242</a> by failing to return Johnson's security deposit within 30 days and/or by failing to appropriately respond; <a href="#">NRS 645.630(1)(f)</a> by failing within a reasonable amount of time to account for, or to remit, any money which came into her possession and which belong to others by failing to pay Horning the funds due; <a href="#">NRS 645.633</a> through <a href="#">NAC 645.605(11)(a)</a> by failing to comply with the Division's request to provide documents by failing to provide transaction files for the properties reference herein on nine occasions; <a href="#">NRS 645.633</a> through <a href="#">NAC 645.655(11)(b)</a> by failing to provide a response to the Division as requested on nine occasions; <a href="#">NRS 645.633(1)(h)</a> pursuant to <a href="#">NAC 645.605(6)</a> by breaching her obligation of absolute fidelity to her principal's interest on over nine occasions by failing to pay and/or timely pay rental money due and/or deposits due to her owner/landlord clients and/or their successor property managers; and <a href="#">NRS 645.6056</a> on over nine occasions by failing to abide by the terms of the fully executed property management agreements with owners/landlords.	\$450,000 fine Licenses and permits revoked
McGannon, Jean Marie <a href="#">2019-1293</a> B.1001656 (Revoked)	April 2020	Violated <a href="#">NRS 645.310(5)</a> by failing to submit her trust account reconciliation(s) to the Division; and <a href="#">NRS 645.633(1)(h)</a> pursuant to <a href="#">NAC 645.605(11)(a) and (b)</a> by failing to comply with a request by the Division to provide a written response and to provide documents.	\$20,000 fine
Miyano, Derek M. <a href="#">2018-6</a> B.40216 (Active)	April 2020	Violated <a href="#">NRS 645.633(1)(i)</a> pursuant to <a href="#">NAC 645.605(1)</a> by offering to refer based on his own personal gain rather than the best interest of his client.	\$2,500 fine





Since our last newsletter (January 2020), the following number of new real estate licenses have been added in the Division system:

BROKERS / **52**

BROKER-SALESPERSONS / **67**

SALESPERSONS / **761**

## Real Estate Statistics Through May 2020

	Brokers		Broker-Salespersons		Salespersons		Totals	
County	Active	Inactive	Active	Inactive	Active	Inactive	Active	Inactive
Unknown	21	2	28	5	152	24	201	31
Carson City	42	29	39	10	192	34	273	73
Churchill	10	8	4	4	47	10	61	22
Clark	1,828	356	2,275	333	14,770	1,651	18,873	2,340
Douglas	63	13	65	14	261	25	389	52
Elko	18	3	21	6	101	14	140	23
Esmeralda	0	0	0	0	0	0	0	0
Eureka	0	1	0	0	1	0	1	1
Humboldt	4	4	2	4	26	4	32	12
Lander	1	1	2	0	4	0	7	1
Lincoln	2	0	0	0	4	0	6	0
Lyon	26	11	19	6	119	17	164	34
Mineral	1	0	0	0	1	1	2	1
Nye	29	9	17	4	145	17	191	30
Out Of State	361	70	255	101	824	266	1,440	437
Pershing	3	0	0	0	6	0	9	0
Storey	1	0	1	0	2	2	4	2
Washoe	401	175	448	103	2,599	258	3,448	536
White Pine	3	0	3	2	4	1	10	3
Total	2,814	682	3,179	592	19,258	2,324	25,251	3,598

**PROPERTY  
MANAGERS**

ACTIVE  
**3,240**

INACTIVE  
**437**

**BUSINESS  
BROKERS**

ACTIVE  
**345**

INACTIVE  
**63**

## UPCOMING HOLIDAYS

**MEMORIAL DAY**  
MON / MAY 25

# Division Seeks Advisory Committee Members

The Real Estate Division is seeking to increase membership of the Real Estate Advisory Committee and is inviting applications from interested licensees in northern and southern Nevada who meet the criteria listed below.

Once appointed to the Committee by the Real Estate Commission, the Advisory Committee member will assist the Administrator on a recurring basis to conduct education course audits, and may be called upon by the Administrator or the Commission, as needed, to assist with other matters.

To qualify, applicant must be a

U.S. citizen, resident in Nevada for at least five years, have no record of Commission discipline in the last five years, and have been:

- a. An active broker for at least two years; or
- b. An active broker-salesperson for at least five years.

Appointment to the Advisory Committee is at the discretion of the Commission. [The application and additional details are available on the Division's website.](#)

Official publication of the

## STATE OF NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY

**TERRY REYNOLDS**  
*Director*

### NEVADA REAL ESTATE DIVISION

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*Administrator*

**PERRY FAIGIN**  
*Deputy Administrator*

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*Education & Information Officer*

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### NEVADA REAL ESTATE COMMISSION

**DEVIN REISS**  
*President*  
Clark County

**LEE K. BARRETT**  
*Vice President*  
Clark County

**LEE R. GURR**  
*Secretary*  
Elko County

**DARRELL PLUMMER**  
*Commissioner*  
Washoe County

**SPIRIDON "SPIROS" FILIOS**  
*Commissioner*  
Clark County

## DIVISION UPDATES

### NEW HIRES

#### Appraisal

James Silva  
Compliance/Audit Investigator II

#### Ombudsman's Office

Gary B. Little  
Program Training Officer

#### Projects

Heather Smith  
Administrative Assistant II

### POSITION CHANGES

#### Education

Leah Holmes  
Administrative Assistant III