

1 REAL ESTATE DIVISION,
2 DEPARTMENT OF BUSINESS AND INDUSTRY,
3 STATE OF NEVADA

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5 SHARATH CHANDRA, ADMINISTRATOR)
6 REAL ESTATE DIVISION,)
7 DEPARTMENT OF BUSINESS AND)
8 INDUSTRY, STATE OF NEVADA,)
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Petitioner,

vs.

BRENT M. JONES
A.0001382-RES

Respondent.

STIPULATION FOR SETTLEMENT
OF DISCIPLINARY ACTION
PURSUANT TO NAC 645C.610(3)

Case No.: 2018-27, AP18.009.S

FILED

OCT 16 2019

NEVADA COMMISSION OF APPRAISERS

STIPULATION FOR SETTLEMENT OF DISCIPLINARY
ACTION PURSUANT TO NAC 645C.610(3)

1. PARTIES. This Stipulation is entered into by and between the Petitioner, the REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS AND INDUSTRY, STATE OF NEVADA (the "Division"), by and through its Administrator, SHARATH CHANDRA (the "Administrator"), and the Respondent, Brent M. Jones (whether one or more hereinafter the "Respondent"), who at relevant times was licensed by the State of Nevada, license number(s) A.0001382-RES. This Stipulation is entered into upon mutual agreement with the decision of the Appraisal Advisory Review Committee (the "AARC"), which was reached at its informal conference held on April 11, 2019, in LAS VEGAS, NEVADA. Members of the AARC present were Wendell Snow, Robert Scott Dugan and John Wright, CHAIR.

2. AUTHORITY OF THE APPRAISAL ADVISORY REVIEW COMMITTEE. The Appraisal Advisory Review Committee has authority to enter this Stipulation with the Respondent pursuant to NAC 645C.610(3).

3. FINDINGS. The AARC has found that the Respondent, while licensed, certified or registered as a Nevada Appraiser, committed violations of chapter 645C of Nevada Revised

1 Statutes and Nevada Administrative Code and/or USPAP. A description of the conduct in which
2 these violations were committed is set forth in specificity in the Summary of Facts which is
3 attached as the Committee Report. The Administrator has the authority, pursuant to NAC
4 645C.600(2), to establish an advisory committee in an attempt to review this matter informally and
5 recommend a resolution.

6 4. **NO ADMISSION OF GUILT.** The Respondent does not admit or deny the findings of
7 the AARC, choosing to remain silent, but does agree that the findings establish a prima facie case
8 for the discipline set forth below and stipulates, subject to the limitations and conditions set forth
9 below, that the Division shall not be required to provide further evidence of such allegations.

10 5. **SETTLEMENT FOR DISCIPLINARY ACTION.** As set forth above, the AARC is
11 authorized under NAC 645C.610 to impose an administrative fine, upon final approval by the
12 Commission. The Division also has the option to file a complaint with the Nevada Commission of
13 Appraisers of Real Estate (the "Commission"). The Commission has the authority pursuant to NRS
14 645C.460(2)(d) to impose a fine of up to \$10,000 for each violation alleged or to suspend or revoke
15 the Respondent's certificate, license or registration card. The parties, however, desire to
16 compromise and settle the instant controversy, without a hearing, upon the following terms and
17 conditions:

18 a. **Committee Recommendations:** The Committee recommends that the
19 RESPONDENT complete:

20 Not less than 7 hours of Work File Documentation continued education

21 Not less than 14 hours Report Writing continued education

22 Not less than 7 hours Adjustments continued education

23 Not less than 7 hours Site Valuation continued education

24 For a total of 35 hours of continued education. The continued education may be
25 taken in the classroom or on-line and will be completed within 1 year, of the
26 Appraisal Commission President signing the Stipulated Agreement. None of the
27 recommended continued education will count toward continued education credit.
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1 In addition, it is also recommended the Real Estate Division, Appraisal Section audit
2 the respondent's work product. Once respondent Jones has completed his
3 continued education recommendations, respondent Jones will submit to the Real
4 Estate Division, Appraisal Program Manager, his log of completed appraisals, for
5 review. The Appraisal Program Manager will select not less than two appraisals to
6 be reviewed by the Real Estate Division for accuracy. Respondent Jones will again 1
7 year later submit his log of completed appraisals, for review by the Appraisal
8 Program Manager. The Appraisal Program Manager will select not less than two
9 appraisals to be reviewed by the Real Estate Division for accuracy. Respondent
10 Jones will submit appraisals both electronically and hardcopy to the Division. The
11 auditing of respondent Jones' appraisals will be for educational purposes only.

12 _____RESPONDENT AGREED_____

13 **b. Public Record.** RESPONDENT and the DIVISION agree that by entering into this
14 Stipulation, the DIVISION does not concede any defense or mitigation RESPONDENT may assert,
15 and the parties agree that the DIVISION will not publicize the instant disciplinary matter, except as
16 set forth below, and that once this Stipulation is approved and fully performed, the DIVISION will
17 close its file in this matter. RESPONDENT understands that the public records law may require the
18 DIVISION to make available for inspection this Stipulation and related documents. RESPONDENT
19 also understands that the DIVISION may share the content of this Stipulation and related
20 documents with any governmental or professional organization or member of the public;

21 **c. Newsletter.** RESPONDENT and the DIVISION agree that the DIVISION, at its
22 discretion, may publish in the newsletter an anonymous summary of the alleged offenses of
23 RESPONDENT and the terms of this Stipulation, with the understanding of all parties that such
24 publication will not specifically name RESPONDENT or make reference to any other party;
25 RESPONDENT will be referred to only as a licensee in the State of Nevada. It is further
26 understood by the parties that this publication is for educational purposes only and to advise
27 other licensees of the alleged violation(s) and that disciplinary action has been taken by the
28 DIVISION;

d. **Failure to perform; hearing on complaint.**

1 RESPONDENT agrees that if the required education is not completed in the time allowed above,
2 RESPONDENT'S license will be automatically suspended until such time as the fine is paid and
3 continuing education requirement satisfied. The DIVISION may, at its option, rescind this
4 Stipulation and proceed with filing a Complaint before the Commission. Further, recovery actions
5 for the administrative fines may be instituted by the DIVISION;

6 e. **No other remedies.** Assuming Respondent complies with the terms of this
7 stipulation, the Division agrees not to pursue any other or greater remedies or fines in connection
8 with the conduct referenced in above unless stipulation is rescinded.

9 f. **Waiver by Respondent.** RESPONDENT agrees and understands that by entering
10 into this Stipulation, RESPONDENT is waiving his/her right to a hearing at which RESPONDENT
11 may present evidence in his/her defense and to be represented by counsel, to judicial review of
12 any adverse decision by the Commission, and to present his/her defense to a Commission which
13 has had no prior familiarity with the instant matter. The Commission members who review this
14 matter for approval of this Stipulation may be the same members who ultimately hear the
15 DIVISION'S complaint if this Stipulation is either not approved by the Commission or is not timely
performed by RESPONDENT; and

16 g. **Attorney fees and other costs.** Each party shall bear its own attorney's fees and
17 other costs not specifically set forth in this Stipulation.

18 6. **RELEASE.** In consideration of execution of this Stipulation, the Respondent for
19 himself/herself or his/her heirs, executors, administrators, successors, and assigns, hereby
20 release, remiss, and forever discharge the State of Nevada, the Department of Business and
21 Industry of the State of Nevada, the Division, and each of their members, agents, and employees
22 in their individual and representative capacities, from any and all manner of actions, causes of
23 action, suits, debts, judgments, executions, claims, and demands whatsoever, known and
24 unknown, in law or equity, that the Respondents ever had, now has, may have, or claims to have
25 against any or all of the persons or entities named in this section, arising out of or by reason of
the Division's investigation, this disciplinary action, or any other matter relating thereto.

26 7. **INDEMNIFICATION.** Respondent hereby indemnifies and holds harmless the State
27 of Nevada, the Department of Business and Industry of the State of Nevada, the Division, and
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1 each of their members, agents, and employees in their individual and representative capacities
2 against any and all claims, suits, and actions brought against said persons and/or entities by
3 reason of the investigation of the allegations in the Complaint, this disciplinary action and all
4 other matters relating thereto, and against any and all expenses, damages, and costs, including
5 court costs and attorney fees, which may be sustained by the persons and/or entities named in
6 this section as a result of said claims, suits, and actions.

7 **8. COMMISSION APPROVAL OF STIPULATION NECESSARY.**

8 Once executed, this Stipulation will be filed with the Commission and will be put on the agenda
9 for approval at its meeting, which by Nevada law is a public meeting. At that time, the DIVISION
10 will recommend to the Commission approval of the Stipulation. RESPONDENT acknowledges and
11 agrees that the Commission may approve this Stipulation, reject it, or suggest different terms
12 which must be communicated to RESPONDENT and accepted or rejected by RESPONDENT before
13 any such amendment shall become effective.
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1 9. SETTLEMENT DISCUSSIONS NOT EVIDENCE. Any statements made during the
2 discussions leading up to this Stipulation may not be discussed or introduced into evidence at any
3 hearing. However, evidence of the Respondent's failure to abide by the terms of any Stipulation
4 entered into with the Division, may be introduced at a hearing and used against the Respondent.

5 10. STIPULATION IS NOT A BAR TO FUTURE PROCEEDINGS. This Stipulation shall not
6 constitute an estoppel, merger or bar to any administrative or civil proceeding by the Division
7 with respect to any future matters or other matters that were not consideration for this
8 Stipulation.

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12 SO STIPULATED.

13 Dated: 5/20/19

14 REAL ESTATE DIVISION, Department of
15 Business and Industry, State of Nevada

16 By: [Signature]
17 SHARATH CHANDRA
18 Administrator

19 Dated: 5/8/2019

20 [Signature]
21 Respondent

22 ORDER

23 The foregoing Stipulation was approved by a vote of the Nevada Commission of

24 Appraisers of Real Estate on this 1 day of October, 2019.

25 NEVADA COMMISSION OF APPRAISERS OF
26 REAL ESTATE

27 [Signature]
28 Appraisal Commission President

Committee Recommendations:

Committee recommended the following continued education:

Not less than 7 hours of Work File Documentation continued education

Not less than 14 hours Report Writing continued education

Not less than 7 hours Adjustments continued education

Not less than 7 Hours Site Valuation continued education

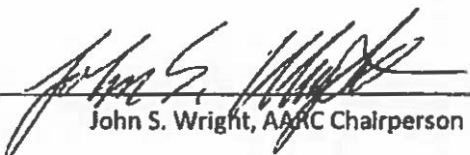
For a total of not less than 28 hours of continued education. The continued education can be taken on line or in the classroom, to be completed within one (1) year of the Appraisal Commission President signing the stipulated agreement, and none of the recommended continued education will count towards continuing education credit

Committee also recommended the State audit the respondent Jones' work product. Once Respondent Jones has completed his continued education, within one year. Respondent Jones will submit to the State of Nevada Real Estate Division, Appraisal Program Manager, a log of appraisals completed. The Appraisal Program Manager will select at least two (2) appraisals to be reviewed by the State for accuracy. Respondent Jones will again in one (1) year later submit his job log to the Appraisal Program Manager to select at least two (2) appraisals for review for accuracy. Appraisals will be submitted electronically as well as hard copy. The auditing of the appraisals will be for educational purposes only.

Respondent verbally agreed

This report is hereby submitted on this 30th day of April 2019.

Appraisal Advisory Review Committee



John S. Wright, AACRC Chairperson