

1 **BEFORE THE COMMISSION OF APPRAISERS OF REAL ESTATE**
2 **STATE OF NEVADA**

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

Case No. 2017-1117, AP 17.034.S

Petitioner,)

FINDINGS OF FACTS, CONCLUSIONS
OF LAW, DECISION AND ORDER

8 vs.)

FILED

9 MICHAEL LACH)
10 (Unlicensed),)

MAR 21 2019

11 Respondent.)

NEVADA COMMISSION OF APPRAISERS

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13 **FINDINGS OF FACT, CONCLUSIONS OF LAW, DECISION AND ORDER**

14 This matter came on for hearing before the Nevada Commission of Appraisers of
15 Real Estate ("Commission"), during a regular agenda on January 29, 2019, with
16 Commission members Christopher Lauger, David Stefan, Debbie Huber, and Kenneth
17 Cronin present. Providing legal counsel for the Commission was Deputy Attorney General
18 Asheesh Bhalla. The Nevada Real Estate Division ("Division") was represented by
19 counsel, Deputy Attorney General Peter Keegan. At the time of the hearing Respondent
20 Michael Lach was not present. The matter having been submitted to the Commission, the
21 Commission now enters the following Findings of Fact, Conclusions of Law, and Order.

22 **JURISDICTION**

23 The Respondent is a not licensed by the Division, but has engaged in appraisal
24 activity in the State of Nevada. By availing himself of the benefits and protections of the
25 laws of the State of Nevada, the Respondent has submitted to the jurisdiction of the
26 Division.

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1 FACTUAL ALLEGATIONS

2 1. On or about May 4, 2017, the Division received a complaint/statement of fact
3 asserting that the Respondent had completed an unlicensed appraisal for vacant land
4 located in Pahrump, Nevada.

5 2. The Respondent has never held an appraisal license or certificate in the
6 State of Nevada, nor did he apply for a temporary practice permit to conduct the subject
7 appraisal.

8 3. On or about December 14, 2016, the Respondent, operating under the
9 Business name Pahrump Land Specialist, performed an appraisal of approximately 30.67
10 acres of vacant land, and the appurtenant 80 acre-feet of water rights, located on 2800 W.
11 Highway 372, Pahrump, Nevada 89048 and identified by APN 36-461-02 ("Property"), by
12 analyzing the nature, quality, value, or use of the property, and offered his opinion as to
13 the nature, quality, value or use of the property for or with the expectation of
14 compensation.

15 4. On or about April 15, 2017, the Division mailed an investigation opening
16 letter containing a copy of the Complaint, via certified mail, to the Respondent.

17 5. The investigation opening letter requested Respondent provide his entire
18 work file along with a response to the Complaint by April 30, 2017.

19 6. On October 24, 2017, the Division sent a follow-up letter, via certified mail,
20 to the Respondent because no response had been received to the investigation opening
21 letter.

22 7. On November 14, 2017, the Division sent another follow-up letter, via
23 certified mail, to the Respondent requesting he provide a response to the Complaint
24 because no response had been provided.

25 8. On May 23, 2018, the Division sent Respondent an NRS 233B Letter,
26 providing notice of intent to file a formal complaint and request for hearing with the
27 Nevada Appraisal Commission on the allegations of unlicensed activity.

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1 CONCLUSIONS OF LAW

2 First Violation

3 The Respondent committed a violation of NRS 645C.215, by knowingly performing
4 an analysis, opinion, or conclusion, whether written or oral, relating to the nature,
5 quality, value, or use of a specified interest in, or aspect of, the identified real estate for or
6 with the expectation of receiving compensation, which constituted an appraisal pursuant
7 to NRS 645C.030. Respondent engaged in this conduct without first obtaining the
8 requisite certificate, license, registration, or registration card, or other type of
9 authorization required pursuant to NRS Chapter 645C.

10 DECISION AND ORDER

11 **IT IS HEREBY ORDERED**, by a majority decision of the Commission, as follows:

12 1. Service of the Complaint and Notice of Hearing, Notice of Documents, and
13 Notice of Complaint and Obligation to Respond was completed upon the Respondent.

14 2. Respondent is in default, pursuant to NAC 645C.502 for failing to appear at
15 the hearing schedule for January 29, 2019.

16 3. Respondent shall pay a disciplinary fine in the amount of \$5,000.00 for
17 violating NRS 645C.215, to be paid within thirty (30) days of the effective date of this
18 Order.

19 4. The Division may institute debt collection proceedings against for failure to
20 timely pay the total fine. Further, if collection goes through the State of Nevada, then
21 LACH shall also pay the costs associated with collection.

22 This Order shall become effective on ~~March~~ ^{April 25, 2019} ____, 2019.

23 DATED this 21 day of March, 2019.

24 NEVADA COMMISSION OF APPRAISERS OF REAL ESTATE

25 By: Chris C. Lange
26 PRESIDENT
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