BEFORE THE COMMISSION OF APPRAISERS OF REAL ESTATE	
STATE OF NEVADA	
SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS AND INDUSTRY, STATE OF NEVADA,	
Petitioner, vs.	
KRISTIN M. MORRIS (License No. A.0003853-CR), DEC 11 2020 NEVADA COMMISSION OF APPRAISERS	
Respondent. Kelly Valader	

State of Nevada, Department of Business and Industry, Real Estate Division ("the Division"), by and through counsel, Attorney General AARON D. FORD and Deputy Attorney General PETER K. KEEGAN, hereby notifies KRISTIN M. MORRIS ("Respondent") of an administrative complaint and hearing before the Nevada Commission of Appraisers of Real Estate ("Commission"). The hearing will be held pursuant to Chapter 233B and Chapter 645C of the Nevada Revised Statutes ("NRS") and Chapter 645C of the Nevada Administrative Code ("NAC"). The purpose of the hearing is to consider the allegations stated below and to determine if the Respondent should be subject to a disciplinary penalty as set forth in NRS 645C and or NAC 645C, if the stated allegations are proven at the hearing by the evidence presented.

JURISDICTION

At all times relevant, the Respondent held a Certified Residential Appraiser's License No. A.0003853-CR. Respondent engaged in activities which require a certificate, license, registration card, or authorization issued by the Division and is therefore subject to the jurisdiction of the Division and Commission, and the provisions of NRS and NAC Chapter 645C. By availing herself of the benefits and protections of the laws of the State of Nevada, the Respondent has submitted to the jurisdiction of the Division.

FACTUAL ALLEGATIONS

1. Since April 24, 2001, Respondent has held the designation of Certified Residential Appraiser, license no. A.0003853-CR.

2. Respondent was the Supervising Appraiser of Thomas Gentile, a registered intern with registration card A.0207556-INTR.

7 3. Thomas Gentile's intern registration card A.0207556-INTR expired on
8 October 30, 2019.

4. Respondent failed to adequately supervise Thomas Gentile by allowing him to complete appraisal intern work during the months of October, November, and December of 2019, after the expiration of his intern registration.

5. Respondent failed to timely supply the Division with a copy of a notice of intern termination and to surrender Thomas Gentile's intern registration card immediately after it had expired.

6. On March 20, 2020, the Division received the Thomas Gentile's first application for a residential appraiser license along with his intern log, which showed work through December 22, 2019.

7. Thomas Gentile's first intern log shows he worked for three (3) months as an
9 intern after his registration card expired on September 30, 2019.

8. On or about March 6, 2020, the Division's Appraisal Program Manager spoke with the Respondent and explained that the intern log needed to be submitted on the Division's form pursuant to NAC 645C.120(2).

9. Respondent explained to the Appraisal Program Manager that Thomas Gentile had already completed the log and would not want to convert it from an excel spreadsheet to the Division's required form.

10. On March 6, 2020, the Division emailed Thomas Gentile instructions to submit the intern log on the Division's required form pursuant to NAC 645C.120(2).

11. Thomas Gentile's first intern log was not submitted on the log provided by

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the Division and required by NAC 645C.120(2).

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2 12. Thomas Gentile's first intern log was signed by the Respondent on March 6,
3 2020.

13. Thomas Gentile's first intern log did not include information about the type of dwelling the appraisals were done on, which is required on the Division's intern log form.

7 14. Many of the addresses for Thomas Gentile's first intern log did not include
8 the city for the appraised property.

9 15. On April 7, 2020, the Division sent Thomas Gentile a Deficiency Letter
10 stating that the fingerprint card had not been submitted with his first application and
11 that any experience recorded on the intern log after the expiration Respondent's intern
12 registration card could not be counted.

13 16. Subsequently, Thomas Gentile submitted a second intern log which stated
14 that "the previous log had mistakes (duplicate fields, missing/incorrect information),
15 please use the enclosed logs instead."

16 17. Thomas Gentile's second intern log contained a signature date of April 15,
17 2020.

18 18. Thomas Gentile's second intern log contained 566 complex properties and
19 2596 completed appraisals; the second intern log was signed by the Respondent.

20 19. Thomas Gentile's second intern log contained 64 appraisals there were not
21 on the first intern log as well as 9 duplicate appraisals.

22 20. Thomas Gentile's first and second log contained inconsistent property
23 addresses when comparing the dates of (1) March 13, 2018; (2) March 14, 2018; (3) April
24 24, 2018; and June 12, 2018.

25 21. Thomas Gentile's first intern log contained 557 complex properties and 2570
26 completed appraisals signed by both the intern and Respondent.

27 22. Thomas Gentile's first intern log contained 83 appraisals which were worked
28 on after the expiration of his registration card.

23. Thomas Gentile's first intern log contained several days with cumulative work entries more than 18 hours including one entry for May 24, 2019, with a total of 25 hours.

24. Thomas Gentile's second intern log has similar issues with including: a 27 hour total for October 12, 2018; a 26 hour total for August 16, 2018; a 25 hour total for May 24, 2019; a 23 hour total for July 27, 2018; and a 23.5 hour total for July 2, 2018.

25. The Respondent failed to review Thomas Gentile's submitted intern logs to prevent incomplete, inconsistent, and impossible data entries.

26. On or about May 22, 2020, the Division mailed to the Respondent an NRS Chapter 233B Letter, as required by NRS 233B.237(3) indicating that the Division's investigation had uncovered sufficient evidence to recommend the filing of a formal complaint by the Division with the Nevada Appraisal Commission. 12

VIOLATIONS OF LAW

First Violation

Respondent violated NRS 645C.480(1)(c) when she failed to adequately supervise Thomas Gentile and allowed him to complete appraisal intern work during the months of October, November, and December of 2019, after the expiration of his intern registration.

Second Violation

Respondent demonstrated unprofessional conduct and/or professional incompetence in violation of NRS 654.460(1)(a) and (b) pursuant to NAC 645C.110, when she failed to timely supply the Division with a copy of a notice of intern termination and to surrender Thomas Gentile's intern registration card immediately after it had expired.

Third Violation

24 Respondent demonstrated unprofessional conduct and/or professional The 25 incompetence in violation of NRS 654.460(1)(a) and (b), and NRS 645C.470(2) pursuant 26 to NAC 645C.120(2), when she failed instruct her intern Thomas Gentile to comply with requirements for submitting an intern log. 27

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Fourth Violation

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The Respondent demonstrated unprofessional conduct and/or professional incompetence in violation of NRS 654.460(1)(a) and (b), and NRS 645C.480(1)(c) when she failed to review Thomas Gentile's submitted intern logs prior to submission to prevent incomplete, inconsistent, and impossible data entries.

DISCIPLINE AUTHORIZED

1. Pursuant to NRS 645C.460(2), if grounds for disciplinary action against an appraiser are found to exist for unprofessional conduct, the Commission may revoke or suspend the certificate, place conditions upon the certificate, deny the renewal of his or her certificate, and/or impose a fine up to \$10,000.00 per violation.

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

3. Therefore, the Division requests the Commission to impose such discipline
as it determines is appropriate under the circumstances and to award the Division its
costs and attorney's fees for this proceeding.

PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider this
 Administrative Complaint against the above-named Respondent in accordance with
 Chapter 233B and Chapter 645C of the Nevada Revised Statutes and Chapter 645C of
 the Nevada Administrative Code.

THE HEARING WILL TAKE PLACE at the Commission meeting scheduled 21 for January 12, 13, and 14, 2021, beginning at approximately 9:00 a.m. each day, 22 or until such time as the Commission concludes its business. If the Governor's 23 Emergency Directive 006 - suspending physical location requirements - is 24 extended through the date of the meeting, then the hearing will be held via 25 teleconference and videoconference. The Commission uses WebEx for its 26 meetings. To join the hearing go to the website Webex.com and put in the 27 Meeting ID and Password. 28

Tuesday, January 12, 2021 – Meeting Number (Access Code): 146 858 3569 Meeting Password: VrFMqm25fp5 (87367625375 from phones and video systems)

Wednesday, January 13, 2021 – Meeting Number (Access Code): 146 033 5998 Meeting Password: CXcFjNpw526 (29235679526 from phones and video systems)

Thursday, January 14, 2021 – Meeting Number (Access Code): 146 283 6652 Meeting Password: 9mMx3AZpvF8 (96693297838 from phones and video systems)

If you do not have internet access, you may attend by phone at (844) 621-3956. Some mobile devices may ask attendees to enter a numeric meeting password provided above.

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

Nevada State Business Center Real Estate Division 3300 West Sahara Avenue, Suite 350 Las Vegas, Nevada 89102

If you would like an email containing this information, before the hearing, please contact Kelly Valadez, Commission Coordinator, at (702) 486-4606 or <u>kvaladez@red.nv.gov.</u>

STACKED CALENDAR: Your hearing is one of several hearings that may be scheduled at the same time as part of a regular meeting of the Commission that is expected to take place on January 12-14, 2021. Thus, your hearing may be continued until later in the day or from day to day. It is your responsibility to be present when your case is called. If you are not present when your case is called, a default may be entered against you, and the Commission may decide the case as if all allegations in the complaint were true. If you need to negotiate a more specific time for your hearing in advance, because of coordination with out of state witnesses or the like, please call Kelly Valadez, Commission Coordinator, at (702) 486-4606.

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YOUR RIGHTS AT THE HEARING: Except as mentioned below, the hearing is an open meeting under Nevada's open meeting law and may be attended by the public. After the evidence and arguments, the Commission may conduct a closed meeting to discuss your alleged missionduct or professional competence. You are entitled to a copy of the transcript of the open and closed pertions of the meeting, although you must pay for the transcription.

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

You have the right to request that the Commission issue subpoenas to compel witnesses to testify and/or evidence to be offered on your behalf. In making this request, you may be required to demonstrate the relevance of the witnesses' testimony and/or evidence. Other important rights you have are listed in NRS Chapter 645C, NRS Chapter 233B, and NAC Ohapter 645C.

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DATED the A day of December, 2020.

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By:

NEVADA REAL ESTATE DIVISION

SHARATHI CHANDR'A, Administrator 3300 W. Sahara Avenue, Suite 350 Las Vegas, Nevada 89102 (702) 486-4033 DATED the 7th day of December, 2020.

AARON D. FORD Attorney General

By: PETTRK AEEGAN, ESQ., Deputy Altorney General 100 North Carson Street Carson City, Nevada 89701-4717 Telephone: (775) 684-1158 Attorneys for Real Estate Division