

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. 2020-439, AP 20.044.S

**COMPLAINT AND NOTICE OF
HEARING**

Petitioner,

vs.

FILED

DEC 11 2020

8 KRISTIN M. MORRIS
9 (License No. A.0003853-CR),

NEVADA COMMISSION OF APPRAISERS

Kelly Valadez

10 Respondent.
11

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

22 **JURISDICTION**

23 At all times relevant, the Respondent held a Certified Residential Appraiser’s
24 License No. A.0003853-CR. Respondent engaged in activities which require a certificate,
25 license, registration card, or authorization issued by the Division and is therefore subject
26 to the jurisdiction of the Division and Commission, and the provisions of NRS and NAC
27 Chapter 645C. By availing herself of the benefits and protections of the laws of the State
28

1 of Nevada, the Respondent has submitted to the jurisdiction of the Division.

2 **FACTUAL ALLEGATIONS**

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

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

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

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

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

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

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

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

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

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

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

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

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

4 13. Thomas Gentile's first intern log did not include information about the type
5 of dwelling the appraisals were done on, which is required on the Division's intern log
6 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.

1 **Fourth Violation**

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

6 **DISCIPLINE AUTHORIZED**

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

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

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

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

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

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

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

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

10 **If you do not have internet access, you may attend by phone at (844) 621-**
11 **3956. Some mobile devices may ask attendees to enter a numeric meeting**
12 **password provided above.**

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

15 **Nevada State Business Center**
16 **Real Estate Division**
17 **3300 West Sahara Avenue, Suite 350**
18 **Las Vegas, Nevada 89102**

19 **If you would like an email containing this information, before the**
20 **hearing, please contact Kelly Valadez, Commission Coordinator, at (702) 486-**
21 **4606 or kvaladez@red.nv.gov.**

22 **STACKED CALENDAR: Your hearing is one of several hearings that may**
23 **be scheduled at the same time as part of a regular meeting of the Commission**
24 **that is expected to take place on January 12-14, 2021. Thus, your hearing may**
25 **be continued until later in the day or from day to day. It is your responsibility**
26 **to be present when your case is called. If you are not present when your case is**
27 **called, a default may be entered against you, and the Commission may decide**
28 **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.

