

Attorney General's Office
555 E. Washington, Suite 3900
Las Vegas, NV 89101

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

JOSEPH R. DECKER, Administrator,
REAL ESTATE DIVISION, DEPARTMENT
OF BUSINESS & INDUSTRY,
STATE OF NEVADA,

Case No. RES 14-05-80-1060

Petitioner,

vs.

DECISION

ELSIE P. BROWN,

Respondent.

This matter came on for hearing before the Nevada Real Estate Commission, State of Nevada ("Commission") on Wednesday, September 16, 2015, at the Grant Sawyer Building, 555 East Washington Avenue, Room 4401, Las Vegas, Nevada. Respondent Elsie P. Brown ("RESPONDENT") did not appear, but was represented by her attorney, Lance Maningo, Esq. Keith E. Kizer, Deputy Attorney General, appeared and prosecuted the Complaint on behalf of petitioner Joseph R. Decker, Administrator of the Real Estate Division, Department of Business & Industry, State of Nevada ("Division").

The matter having been submitted for decision based upon the allegations of the Complaint, the Commission now enters its Findings of Fact and Conclusions of Law as follows:

FINDINGS OF FACT

The Commission, based upon the evidence presented during the hearing, finds that there is substantial evidence in the record to establish each of the following Findings of Fact:

1. RESPONDENT has been licensed by the Division as a Salesperson under license number S.0069366, since January 23, 2006, and is in inactive status.
2. RESPONDENT is subject to the jurisdiction of the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 645.
3. At all times relevant to the Complaint, RESPONDENT was associated with broker John M. Brown Jr. at Ameri-Dream Realty LLC.

1 4. Ameri-Dream Realty LLC had a General Account, XXXXXX787, at JPMorgan
2 Chase Bank.

3 5. Ameri-Dream Realty LLC had a Security Deposit Account, XXXXXX795, at
4 JPMorgan Chase Bank.

5 6. On or about February 27, 2013, RESPONDENT transferred \$25,000 from the
6 General Account to Unibank Inc. Metro Philippines.

7 7. On or about March 14, 2013, RESPONDENT transferred \$50,000 from the
8 Security Deposit Account to Unibank Inc. Metro Philippines.

9 8. On or about April 10, 2013, RESPONDENT transferred \$49,263 from the
10 Security Deposit Account to Unibank Inc. Metro Philippines.

11 9. On or about April 17, 2013, RESPONDENT transferred \$24,600 from the
12 Security Deposit Account to Unibank Inc. Metro Philippines.

13 10. On or about May 17, 2013, RESPONDENT transferred \$97,930 from the
14 Security Deposit Account to Unibank Inc. Metro Philippines.

15 11. On or about May 24, 2013, RESPONDENT transferred \$49,000 from the
16 Security Deposit Account to Unibank Inc. Metro Philippines.

17 12. On or about June 25, 2013, RESPONDENT transferred \$71,500 from the
18 Security Deposit Account to Unibank Inc. Metro Philippines.

19 13. On or about July 18, 2013, RESPONDENT transferred \$35,000 from the
20 Security Deposit Account to Unibank Inc. Metro Philippines.

21 14. On or about September 10, 2013, RESPONDENT transferred \$7,670 from the
22 Security Deposit Account to Unibank Inc. Metro Philippines.

23 15. On or about September 23, 2013, RESPONDENT transferred \$18,700 from the
24 Security Deposit Account to Unibank Inc. Metro Philippines.

25 16. On or about September 27, 2013, RESPONDENT transferred \$23,255 from the
26 Security Deposit Account to Unibank Inc. Metro Philippines.

27 17. On or about October 9, 2013, RESPONDENT transferred \$10,020 from the
28 Security Deposit Account to Unibank Inc. Metro Philippines.

1 18. On or about October 22, 2013, RESPONDENT transferred \$13,960 from the
2 Security Deposit Account to Unibank Inc. Metro Philippines.

3 19. On or about October 24, 2013, RESPONDENT transferred \$11,700 from the
4 Security Deposit Account to Unibank Inc. Metro Philippines.

5 20. On or about December 20, 2013, RESPONDENT transferred \$8,000 from the
6 Security Deposit Account to Unibank Inc. Metro Philippines.

7 21. On or about May 16, 2014, John M. Brown Jr. filed a Statement of Fact with the
8 Division, complaining about RESPONDENT's conduct.

9 **CONCLUSIONS OF LAW**

10 The Commission, based upon the preponderance of the evidence, makes the following
11 legal conclusions:

12 1. RESPONDENT received proper notice of the hearing pursuant to NRS Chapters
13 645 and 233B and NAC Chapter 645.

14 2. Pursuant to NAC 645.860, the Commission finds that the following charges
15 specified in the Complaint are true and supported by substantial evidence.

16 3. RESPONDENT violated NRS 645.630(1)(h) by converting money from the
17 General Account to her own use.

18 4. RESPONDENT violated NRS 645.630(1)(h) on fourteen occasions by converting
19 money from the Security Deposit Account to her own use.

20 5. RESPONDENT violated NRS 645.633(1)(i), pursuant to NAC 645.605(1), by
21 failing to do her utmost to protect the public against fraud, misrepresentation or unethical
22 practices related to real estate.

23 **ORDER**

24 IT IS HEREBY ORDERED that RESPONDENT shall pay to the Division a total fine of
25 \$161,283.81. The total fine reflects a fine of \$160,000.00 for committing the above violations
26 of law plus \$1,283.81 for hearing and investigative costs. RESPONDENT shall pay the total
27 fine to the Division within ninety (90) days of the effective date of this Order. The Division may
28 institute debt collection proceedings for failure to timely pay the total fine.

Attorney General's Office
555 E. Washington, Suite 3900
Las Vegas, NV 89101

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS FURTHER ORDERED that RESPONDENT's real estate license is hereby
REVOKED.

The Commission retains jurisdiction for correcting any errors that may have occurred in
the drafting and issuance of this Decision.

This Order shall become effective on the 5th day of November, 2015.

DATED this 5 day of October, 2015.

REAL ESTATE DIVISION
STATE OF NEVADA

By: Richard K. Johnson, Pass.
RICHARD K JOHNSON, COMMISSIONER