



DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION

www.red.nv.gov

NOTICE & AGENDA OF PUBLIC MEETING
OF THE
NEVADA REAL ESTATE COMMISSION

OCTOBER 5-7, 2016

The Nevada Real Estate Commission will conduct a meeting beginning **Wednesday, October 5, 2016, at 9:00 a.m. and each day thereafter at 9:00 a.m. through Friday, October 7, 2016, or until the Commission concludes its business at the following location:**

October 5-7, 2016 @ 9:00 A.M.

The Legislative Building
401 South Carson Street
Room 2134
Carson City, Nevada 89701

VIDEO CONFERENCE TO:

Grant Sawyer Building
555 East Washington Avenue
Room 4412
Las Vegas, Nevada 89101

COMMISSIONERS WILL BE IN CARSON CITY

STACKED AGENDA: Below is an agenda of all items scheduled to be considered. Unless otherwise stated, items may be taken out of the order presented on the agenda by the discretion of the President. Items may also be combined for consideration or pulled or removed from the agenda at any time. Persons who have business before the Commission are solely responsible to see that they are present when their business is conducted. Public Comment may be limited to three minutes per person at the discretion of the President. The Commission may only take action on those items denoted as potential action items.

NOTICE: Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Please call Rebecca Hardin at (702) 486-4074, so arrangements may be conveniently made.

NOTICE: Prior to the commencement and conclusion of a contested case or a quasi judicial proceeding that may affect the due process rights of an individual the Commission may refuse to consider public comment. See NRS 233B.126.

1. COMMISSION/DIVISION BUSINESS

- A) Call to Order; Introduction of Commissioners in Attendance; and Establish Quorum.
- B) Introduction of Division Staff in Attendance.

2. PUBLIC COMMENT

Members of the public are encouraged to address the commission regarding any matter. However, no action may be taken on a matter. No comments may be made regarding a matter that is or may be the subject of a formal complaint before the commission until after that matter is heard. Comment may not be limited based on viewpoint. Persons who desire to submit written testimony should submit ten (10) copies to the commission coordinator. ***PUBLIC COMMENT MAY BE LIMITED TO THREE MINUTES PER PERSON AT THE DISCRETION OF THE CHAIRPERSON.***

3. 10/05/16 @9:00 A.M. REGULATION WORKSHOP FOR LCB FILE NO. R004-16

Workshop by the Real Estate Commission to receive comments regarding proposed regulations known as LCB File No. R004-16 which establishes the following:

- Revising provisions relating to requirements for postlicensing education and continuing education for certain licensees of the Real Estate Division of the Department of Business and Industry;
- Revising provisions governing the Division's investigation of the financial responsibility of an applicant for a license as a real estate broker;
- Revising the period in which the Division will accept the results of an applicant's examination;
- Revising the proof which a person must submit to the Division to renew or reinstate a license;
- Repealing provisions requiring the Division's consideration of the financial condition of a person who wishes to apply for a license as a real estate broker;
- Repealing provision relating to persons who hold permits to engage in property management and who engage in the management of common-interest communities; and,
- Providing other matters properly relating thereto.

4. COMMISSION/DIVISION BUSINESS

- A) Discussion regarding Administrator's report on:
 - 1. Personnel;
 - 2. The Division's Las Vegas office moving to another location; and,
 - 3. The Division's budget.
- B) Discussion regarding the Disciplinary Report.
- C) Discussion regarding the Compliance Section's current caseload report and totals for FY2016, including a summary of recent topics of complaints filed.
- D) Discussion regarding the Administrative Sanction Report.
- E) Discussion regarding Continuing Education Supervisor's report on:
 - 1. Continuing education course audit program report;
 - 2. Continuing education certificate issues and midterm education record-keeping;
 - 3. Continuing education and post education roster upload submittals issues.
- F) For possible action: Discussion and decision regarding the Division's proposed structuring of the NAC 645.4442 post-licensing education curriculum into a 5-day program of prescribed sessions.
- G) For possible action: Discussion and decision regarding proposed changes, additions and deletions to NAC 645 including but not limited to:
 - 1. LCB File No. R004-16; including review of public comments from the regulation workshop held October 5, 2016.
- H) Discussion regarding Division's revision to the Duties Owed by a Nevada Real Estate Licensee form.
- I) Discussion regarding the September 21-25, 2016 ARELLO Conference attended by Commissioners.
- J) For Possible Action: Discussion and decision to approve minutes of the July 12-13, 2016 meeting.

- K) For Possible Action: Discussion and decision on date, time, place & agenda items for upcoming meetings.
- L) Discussion regarding Commissioner's speaking engagement requests and guidance from Commission Counsel regarding disclosures
- M) Commissioner Comments.

5. FOR POSSIBLE ACTION: DISCUSSION AND DECISION REGARDING RESPONDENT'S PETITION FOR RECONSIDERATION OF DISCIPLINARY TERMS

- 1. **NRED v STEVEN ABOULAFIA**
 CASE # RES 14-02-44-515
 LICENSE NO.: S.0040153 (ACTIVE)

6. FOR POSSIBLE ACTION: LICENSE DENIAL APPEAL FOR DECISION

- 1. **Michael Batt**, for possible action
 FILE No. S-LDA-17-001

Note: Pursuant to NRS 241.030(1), The Nevada Real Estate Commission may conduct a closed meeting to consider the character, allegations of misconduct, professional competence, or physical and mental health of a person.

- 1) Discussion in closed session.
- 2) Discussion and possible action in open session.

7. FOR POSSIBLE ACTION: DISCIPLINARY ACTION

- 1. NRED v **Constance Athayde**, for possible action
 Case # 2016-1165
 License No.: UNLICENSED
- 2. NRED v **Mary E. McQuattie**, for possible action
 Case # 2015-1825
 License No's.: BS.0023321 (ACTIVE); B.0023321.CORP (EXPIRED);
 B.0062491.INDV (CLOSED); and PM.0123321 (INACTIVE)
- 3. NRED v **Dennis J. Wilson Jr.** for possible action
 Case # REN 14-03-01-027
 License No's.: BS.0042507 (ACTIVE); B.0042507.CORP (EXPIRED)
 B.0042507.INDV (CLOSED); and PM.0142507 (EXPIRED)

8. PUBLIC COMMENT

Members of the public are encouraged to address the commission regarding any matter. However, no action may be taken on a matter. No comments may be made regarding a matter that is or may be the subject of a formal complaint before the commission until after that matter is heard. Comment may not be limited based on viewpoint. Persons who desire to submit written testimony should submit ten (10) copies to the commission coordinator. ***PUBLIC COMMENT MAY BE LIMITED TO THREE MINUTES PER PERSON AT THE DISCRETION OF THE CHAIRPERSON.***

9. FOR POSSIBLE ACTION: ADJOURNMENT

THIS NOTICE AND AGENDA HAS BEEN POSTED ON OR BEFORE 9:00 A.M. ON THE THIRD WORKING DAY BEFORE THE MEETING AT THE FOLLOWING LOCATIONS:

Action Realty
3250 South Highway 160, Suite 11
Pahrump, Nevada 89048

Century 21/Sonoma Realty
1099 W. Winnemucca Bl.
Winnemucca, Nevada 89445

Desert Mountain Realty
1060 East Aultman Street
Ely, Nevada 89301

Elko County Association of REALTORS
557 West Silver, Suite 301A
Elko, Nevada 89801

Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada 89101

Greater Las Vegas Association of REALTORS
1750 East Sahara Avenue
Las Vegas, Nevada 89104

Isom Realty & Insurance
P.O. Box 670
420 Third Street
Hawthorne, Nevada 89415

Nevada Association of REALTORS
760 Margrave Drive, Suite. 200
Reno, Nevada 89510

Nevada Real Estate Division
1818 E. College Parkway, Suite 110
Carson City, Nevada 89706

Nevada Real Estate Division
2501 E. Sahara Avenue, #102
Las Vegas, Nevada 89104-4137

Reiss Properties & Reiss Realty
2510 West Horizon Ridge Parkway, # 230
Henderson, Nevada 89052

Reno/Sparks Association of REALTORS
5650 Riggins Court, Suite 200
Reno, Nevada 89502

Sierra Nevada Association of REALTORS
300 South Curry Street, #3
Carson City, Nevada 89703

Nevada Public Notice Website
<https://notice.nv.gov/>

**State of Nevada
Dept. of Business & Industry
State Real Estate Division**

INTERNET PAGE:
http://red.nv.gov/Content/Meetings/Real_Estate_Calendar

CONTACT FOR SUPPORTING MATERIALS FOR LISTED AGENDA ITEMS:

**REBECCA HARDIN
Commission Coordinator
Nevada Real Estate Division
2501 E. Sahara Avenue, Suite 303
Las Vegas, Nevada 89104**

**Phone: 702-486-4074
Email: rhardin@red.nv.gov**