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BEFORE THE REAL ESTATE COMMISSION

ADD as and

STATE OF NEVADA

MEAL ESTATE COMMISSION

SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS & INDUSTRY, STATE OF NEVADA,

Case No. RES 15-08-175-336

Petitioner,

VS.

J. MARIO SANCHEZ,

Respondent.

COMPLAINT AND NOTICE OF HEARING

The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA ("Division"), by and through its counsel, Adam Paul Laxalt, Attorney General of the State of Nevada, and Keith E. Kizer, Senior Deputy Attorney General, hereby notifies RESPONDENT J. MARIO SANCHEZ ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION ("Commission"). The hearing will be held pursuant to Chapters 233B and Chapter 645 of the Nevada Revised Statutes ("NRS") and Chapter 645 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 an administrative penalty as set forth in NRS 645.633 and/or NRS 645.630 and/or NRS 622.400, and the discipline to be imposed, if violations of law are proven.

JURISDICTION

RESPONDENT was at all relevant times mentioned in this Complaint licensed by the Division as a Broker under license number B.0025442.INDV and/or B.0031896.CORP, and is therefore subject to the jurisdiction of the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 645.

FACTUAL ALLEGATIONS

1. RESPONDENT has been licensed as a Broker by the Division under license number B.0025442.INDV since October 2, 2007, and is currently in active status.

- 2. RESPONDENT was licensed as a Broker by the Division under license number B.0031896.CORP from May 16, 2000, until December 31, 2015.

 3. RESPONDENT was licensed as a Broker Salesperson by the Division under license.
- 3. RESPONDENT was licensed as a Broker Salesperson by the Division under license number BS.0031896 from December 1, 1999, until December 31, 2015.
 - 4. In or about 2005, RESPONDENT solicited several buyers to purchase real estate.
 - 5. One of those buyers was Darin Kajioka.
 - 6. RESPONDENT provided Kajioka with his real estate broker business card.
- 7. Kajioka provided RESPONDENT with monies to purchase real estate in Arizona: parcels #506-34-015-M, #506-40-019-C, #506-45-019-C and #511-79-001-C (collectedly referred to herein as "the Properties").
- 8. The Subscription Agreements and Purchase Agreements for the Properties specify that RESPONDENT is a licensed real estate broker in Nevada and shall exclusively represent the members, manager and buyer of the Properties.
 - 9. RESPONDENT received a \$40,000.00 selling broker's commission for the purchases.
- 10. RESPONDENT agreed to manage the Properties and pay all property taxes as they are due.
- 11. After paying the property taxes form years 2005 to 2007, RESPONDENT failed to pay the Properties' property taxes for years 2008 to present.
- 12. Unbeknownst to Kajioka until on or about April 8, 2014, RESPONDENT formed a new business entity and purchased the tax liens on the Properties.
- 13. On or about August 14, 2014, Darin and Roxanne Kajioka filed a Statement of Fact with the Division complaining about RESPONDENT'S conduct.

VIOLATIONS

RESPONDENT has committed the following violations of law:

- 14. RESPONDENT violated NRS 645.633(1)(h) and/or (i) and/or NRS 645.252(2) on four occasions by failing to pay the property taxes on each of the Properties.
- 15. RESPONDENT violated NRS 645.633(1)(h) and/or (i) and/or NRS 645.252(2) on four occasions by purchasing the tax liens on each of the Properties for himself or an entity he controlled.

16. RESPONDENT violated NRS 645.252(1)(a) by failing to notify Kajioka of the Properties' tax liens and RESPONDENT'S purchases thereof.

DISCIPLINE AUTHORIZED

- 17. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to impose an administrative fine of up to \$10,000 per violation against RESPONDENT and further to suspend, revoke or place conditions on the license of RESPONDENT.
- 18. Additionally, under NRS Chapter 622, the Commission is authorized to impose costs of the proceeding upon RESPONDENT, including investigative costs and attorney's fees, if the Commission otherwise imposes discipline on RESPONDENT.
- 19. Therefore, the Division requests that the Commission take such disciplinary action as it deems appropriate under the circumstances.

NOTICE OF HEARING

THE HEARING WILL TAKE PLACE on May 23, 2017 commencing at 9:00 a.m., or as soon thereafter as the Commission is able to hear the matter, and each day thereafter commencing at 9:00 a.m. through May 25, 2017, or earlier if the business of the Commission is concluded. The Commission meeting will be held on May 23-25, 2017, at the Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102.

STACKED CALENDAR: Your hearing is one of several hearings scheduled at the same time as part of a regular meeting of the Commission that is expected to last from May 23-25, 2017, or earlier if the business of the Commission is concluded. 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 hearing 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 have any questions please call Rebecca Hardin, Commission Coordinator (702) 486-4074.

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 misconduct or

professional competence. A verbatim record will be made by a certified court reporter. You are entitled to a copy of the transcript of the open and closed portions of the meeting, although you must pay for the transcription.

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 the request, you may be required to demonstrate the relevance of the witness' testimony and/or evidence. Other important rights you have are listed in NRS 645.680 through 645.990, NRS Chapter 233B, and NAC 645.810 through 645.875.

The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC 645 and if the allegations contained herein are substantially proven by the evidence presented and to

1	further determine what administrative penalty is to be assessed against the Respondent, if any, pursuan
2	to NRS 645.633 and/or NRS 645.630.
3	DATED this 19 day of April, 2017.
4	State of Nevada
5	Department of Business and Industry Real Estate Division
6	KM and
7	By: NARATH CHANDRA, Administrator
8	2501 East Sahara Avenue Las Vegas, Nevada 89104-4137
9	(702) 486-4033
10	ADAM PAUL LAXALT
11	Attorney General
12	By: Cah E. Lg.
13	KEITH E. KIZER (Bar No. 4305)
14	Senior Deputy Attorney General 555 East Washington Ave., Ste. 3900
15	Las Vegas, Nevada 89101 (702) 486-3326
16	Attorneys for Real Estate Division
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25	W.
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