

FILED

APR 18 2017

REAL ESTATE COMMISSION
BY *Rebecca Hand*

BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

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

Case No. RES 14-06-16-1176

Petitioner,

vs.

RAYMOND F. HALDEMAN,

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 RAYMOND F. HALDEMAN ("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.0001136.CORP, and as a Property Manager under license number PM.0162423.BKR, and is therefore subject to the jurisdiction of the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 645.

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1 **FACTUAL ALLEGATIONS**

2 2. RESPONDENT has been licensed by the Division as a Broker, license number
3 B.0001136.CORP since March 24, 1981, and as a Property Manager, license number
4 PM.0162423.BKR since October 22, 1998, and is in active status.

5 3. At all times relevant to the Complaint, RESPONDENT was the broker for Oasis Realty
6 Inc.

7 4. On or about January 15, 2014, RESPONDENT submitted his trust account
8 reconciliation to the Division.

9 5. RESPONDENT used a rubber stamp to sign that trust account reconciliation.

10 6. RESPONDENT maintained only one account for the collection of rent payments and the
11 collection of security deposits, account number XXXXXX5285, at Wells Fargo Bank.

12 7. RESPONDENT used a rubber stamp to sign checks from that account.

13 8. RESPONDENT also used that account to deposit and /or issue commission checks.

14 **VIOLATIONS**

15 RESPONDENT has committed the following violations of law:

16 9. RESPONDENT violated NRS 645.310(4) and/or NAC 645.655(8) by failing to maintain
17 two separate property management trust accounts distinct from any trust account that he had for other
18 real estate transactions.

19 10. RESPONDENT violated NAC 645.655(5) by maintaining a custodial or trust account
20 from which money could be withdrawn without his signature.

21 11. RESPONDENT violated NRS 645.310(3) and/or NRS 645.630(1)(h) by commingling
22 money or other property of a client with his own money.

23 **DISCIPLINE AUTHORIZED**

24 12. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to impose
25 an administrative fine of up to \$10,000 per violation against RESPONDENT and further to suspend,
26 revoke or place conditions on the license of RESPONDENT.

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1 13. Additionally, under NRS Chapter 622, the Commission is authorized to impose costs of
2 the proceeding upon RESPONDENT, including investigative costs and attorney's fees, if the
3 Commission otherwise imposes discipline on RESPONDENT.

4 14. Therefore, the Division requests that the Commission take such disciplinary action as it
5 deems appropriate under the circumstances.

6 **NOTICE OF HEARING**

7 **PLEASE TAKE NOTICE** that a disciplinary hearing has been set to consider the
8 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and
9 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

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

15 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the same
16 time as part of a regular meeting of the Commission that is expected to last from May 23-25,
17 2017, or earlier if the business of the Commission is concluded. Thus, your hearing may be
18 continued until later in the day or from day to day. It is your responsibility to be present when
19 your case is called. If you are not present when your hearing is called, a default may be entered
20 against you and the Commission may decide the case as if all allegations in the complaint were
21 true. If you have any questions please call Rebecca Hardin, Commission Coordinator (702) 486-
22 4074.

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28 entered against you and the Commission may decide the case as if all allegations in the complaint

1 were true. If you have any questions please call Rebecca Hardin, Commission Coordinator (702)
2 486-4074.

3 YOUR RIGHTS AT THE HEARING: except as mentioned below, the hearing is an open
4 meeting under Nevada's open meeting law, and may be attended by the public. After the evidence and
5 arguments, the commission may conduct a closed meeting to discuss your alleged misconduct or
6 professional competence. A verbatim record will be made by a certified court reporter. You are
7 entitled to a copy of the transcript of the open and closed portions of the meeting, although you must
8 pay for the transcription.

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

15 You have the right to request that the Commission issue subpoenas to compel witnesses to
16 testify and/or evidence to be offered on your behalf. In making the request, you may be required to
17 demonstrate the relevance of the witness' testimony and/or evidence. Other important rights you have
18 are listed in NRS 645.680 through 645.990, NRS Chapter 233B, and NAC 645.810 through 645.875.

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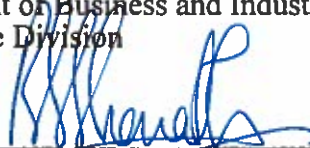
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1 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or
2 NAC 645 and if the allegations contained herein are substantially proven by the evidence
3 presented and to further determine what administrative penalty is to be assessed against the
4 RESPONDENT, if any, pursuant to NRS 645.235, 645.633 and or 645.630.

5 DATED this 17 day of April, 2017.

6 State of Nevada
7 Department of Business and Industry
8 Real Estate Division

9 By: 
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12 Las Vegas, Nevada 89104-4137
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14 ADAM PAUL LAXALT
15 Attorney General

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22 Attorneys for Real Estate Division
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