

FILED

APR 18 2017

REAL ESTATE COMMISSION
BY *Robert Anderson*

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Case No. RES 14-01-109-447

Petitioner,

vs.

ROSA KELLER,

Respondent.

**ACTION FOR ORDER CONFIRMING ADMINISTRATIVE FINE
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 ROSA KELLER ("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 NAC 645.695 and/or NRS 622.400.

POINTS AND AUTHORITIES

RESPONDENT is licensed as a salesperson, license number S.0071550, which currently in inactive status. On or about June 22, 2015, the Administrator of the Real Estate Division issued RESPONDENT a Notice of Violation with the Imposition of Administrative Fine in the amount of \$1,000.00 for a violation of NAC 645.650(2) for failing to provide paperwork to her broker within 5 calendar days after the paperwork was executed by all the parties. The Notice of Violation with Imposition of Administrative Fine was properly served upon RESPONDENT. Exhibit A.

1 The Notice of Violation and accompanying letter from the Division advised that the fine must
2 be remitted to the Division by July 22, 2015. The Notice of Violation and accompanying letter
3 contained notice to the RESPONDENT advising RESPONDENT of her appeal rights if she disagreed
4 with the finding of violation and/or imposition of the fine. *Id.* RESPONDENT did not appeal and did
5 not request a hearing prior to July 22, 2015. As such, RESPONDENT was required to pay the fine
6 imposed in the amount of \$1,000.00 by the prescribed date of July 22, 2015.

7 RESPONDENT failed to pay the fine by July 22, 2015. To date, RESPONDENT has failed to
8 pay the administrative fine. The Division requests an order requiring the payment of the properly
9 imposed administrative fine and that RESPONDENT's license be revoked or suspended until paid.

10 NOTICE OF HEARING

11 PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider the
12 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and
13 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

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

19 STACKED CALENDAR: Your hearing is one of several hearings scheduled at the same
20 time as part of a regular meeting of the Commission that is expected to last from May 23-25,
21 2017, or earlier if the business of the Commission is concluded. Thus, your hearing may be
22 continued until later in the day or from day to day. It is your responsibility to be present when
23 your case is called. If you are not present when your hearing is called, a default may be entered
24 against you and the Commission may decide the case as if all allegations in the complaint were
25 true. If you have any questions please call Rebecca Hardin, Commission Coordinator (702) 486-
26 4074.

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1 **May 25, 2017, or earlier if the business of the Commission is concluded. Thus, your hearing may**
2 **be continued until later in the day or from day to day. It is your responsibility to be present**
3 **when your case is called. If you are not present when your hearing is called, a default may be**
4 **entered against you and the Commission may decide the case as if all allegations in the complaint**
5 **were true. If you have any questions please call Rebecca Hardin, Commission Coordinator (702)**
6 **486-4074.**

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

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

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

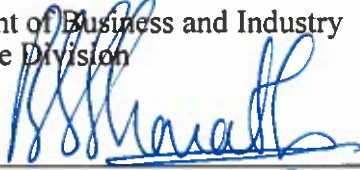
23 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC
24 645 and if the allegations contained herein are substantially proven by the evidence

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1 presented and to further determine what administrative penalty is to be assessed against the
2 Respondent, if any, pursuant to NRS 645.235, 645.633 and or 645.630.

3 DATED this 17 day of April, 2017.

4 State of Nevada
5 Department of Business and Industry
6 Real Estate Division

7 By: 
8 SHARATH CHANDRA, Administrator
9 2501 East Sahara Avenue
10 Las Vegas, Nevada 89104-4137
11 (702) 486-4033

12 ADAM PAUL LAXALT
13 Attorney General


14 By: 
15 KEITH E. KIZER (Bar No. 4305)
16 Senior Deputy Attorney General
17 555 East Washington Ave., Ste. 3900
18 Las Vegas, Nevada 89101
19 (702) 486-3326
20 Attorneys for Real Estate Division
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EXHIBIT A

STATE OF NEVADA

BRIAN SANDOVAL
Governor



BRUCE H. BRESLOW
Director

JOSEPH (JD) DECKER
Administrator

DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION

www.red.nv.gov

June 22, 2015

Rosa Keller
2432 Hamonah Drive
Henderson NV 89044

Certified Mail Receipt No. 7013 1090 0000 1699 1944

RE: RES14-01-109-447 CARRILLO vs KELLER (S.0071550)

Dear Ms. Keller:

Enclosed herewith you will find a Notice of Violation with Imposition of Administrative Fine. The Division has found that you have violated NAC 645.650 2 as set out with specificity in Exhibit A.

Pursuant to NAC 645.695, you are required to pay an administrative fine in the amount of \$1,000.00. The fine must be remitted to the Division by July 22, 2015.

PLEASE TAKE NOTICE that you have the right to appeal this Notice of Violation before the Real Estate Commission. If you wish to appeal this Notice of Violation, you must notify the Division within 30 days of the date of this letter. Please submit such notification to: Mr. Jan R. Holle, Chief Compliance/Audit Investigator, at 2051 E. Sahara #300, Las Vegas, NV 89104-4137

Please remit a check or money order made payable to the order of "Nevada Real Estate Division" for the full amount of the fine to the following:

ASSISTANT TO THE ADMINISTRATOR
Nevada Real Estate Division
2501 E. Sahara Avenue, Suite 303
Las Vegas, NV 89104-4137

BRIAN SANDOVAL
Governor

STATE OF NEVADA



BRUCE H. BRESLOW
Director

JOSEPH (JD) DECKER
Administrator

DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION

www.red.nv.gov

REMITTANCE COPY

June 22, 2015

Rosa Keller
2432 Hamonah Drive
Henderson NV 89044

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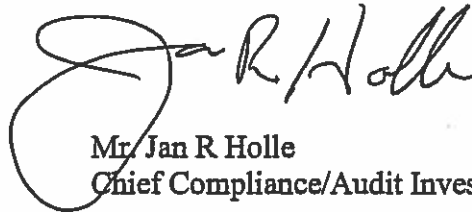
ASSISTANT TO THE ADMINISTRATOR
Nevada Real Estate Division
2501 E. Sahara Avenue, Suite 303
Las Vegas, NV 89104-4137

There is an extra copy of this letter marked "Remittance Copy" and should be returned with your check. The purpose of the remittance copy is to assure proper posting of fines to your disciplinary file.

If you have any questions concerning this Notice, you may contact Carolyn Washington at (702) 486-4325.

Sincerely,

REMITTANCE COPY



Mr. Jan R Holle
Chief Compliance/Audit Investigator

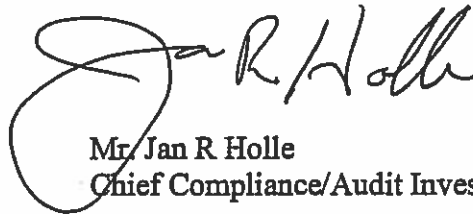
cc: Joseph (JD) Decker, Administrator
Placido Carrillo, Former Broker

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If you have any questions concerning this Notice, you may contact Carolyn Washington at (702) 486-4325.

Sincerely,

A handwritten signature in black ink, appearing to read "Jan R. Holle". The signature is fluid and cursive, with a large initial "J" and "H".

Mr. Jan R Holle
Chief Compliance/Audit Investigator

cc: Joseph (JD) Decker, Administrator
Placido Carrillo, Former Broker

1 REAL ESTATE DIVISION
2 DEPARTMENT OF BUSINESS AND INDUSTRY
3 STATE OF NEVADA
4

5 ROSA KELLER, Licensee.
6 License No. S.0071550
7

8 NOTICE OF VIOLATION
9 WITH
10 IMPOSITION OF ADMINISTRATIVE FINE
11 No. RES14-01-109-447
12

13 TO:

14 ROSA KELLER
15 2432 HAMONAH DRIVE
16 HENDERSON NV 89044
17

18 PLEASE TAKE NOTICE that as a result of an investigation, the Real Estate Division of the
19 Department of Business and Industry, State of Nevada ("the Division") finds that you have violated
20 NAC 645.650 2, as set out with specificity in Exhibit A attached hereto.

21 PLEASE TAKE FURTHER NOTICE that as a result of that violation, you are required to
22 pay an administrative fine pursuant to NAC 645.695 in the amount of \$1,000.00. This fine must be
23 remitted to the Division on or by July 22, 2015. The Notice of Violation is considered discipline and
24 will be published and made available to the public upon request.
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1 **PLEASE TAKE FURTHER NOTICE** that you have the right to appeal this Notice of
2 Violation before the Real Estate Commission. If you wish to file an appeal, you must submit a
3 written request within 30 days of the date of this Notice. Such notice may be mailed to:

4
5 Nevada Real Estate Division
6 Mr. Jan R Holle, Chief Compliance/Audit Investigator
7 2501 E Sahara Avenue, Suite 300
8 Las Vegas NV 89104-4137
9

10 DATED this 22nd day of June, 2015.
11

12
13 JOSEPH (JD) DECKER, Administrator
14 REAL ESTATE DIVISION
15 DEPARTMENT OF BUSINESS & INDUSTRY
16 STATE OF NEVADA

17 By. 

18 MR. JAN R HOLLE
19 Chief Compliance/Audit Investigator
20 2501 East Sahara Avenue
21 Las Vegas, Nevada 89104-4137
22 (702) 486-4324
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Exhibit A

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3 **Violation found: NAC 645.650 Periods of maintenance of certain records by broker and**
4 **for provision of certain paperwork to broker. (NRS 645.050, 645.190**

5 2. A salesperson or broker-salesperson must provide any paperwork to the broker with
6 whom he or she is associated within 5 calendar days after that paperwork is executed
7 by all the parties.

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9 **Facts and Rationale for Finding:**

10 Respondent Keller represented the Complainant as the Buyer's Agent but failed to turn paperwork
11 into the broker.
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Certificate of Service

I, Carolyn Washington, hereby certify that I am an employee of the Real Estate Division of the Department of Business and Industry, State of Nevada and that on the 22nd day of June, 2015. I served a fully executed copy of the foregoing Notice of Violation and Imposition of Administrative Fine, by depositing a copy of the same with the United State Postal Service, postage prepaid, certified mail, return receipt requested addressed as follows:

ROSA KELLER
2432 HAMONAH DRIVE
HENDERSON NV 89044


An employee of the Real Estate Division

Certified # 7013 1090 0000 1699 1944

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U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

7013 1090 0000 1699 1944

3823 Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 1096



Sent To Rosa Keller
 Street, Apt. No., or PO Box No. 2432 Hamonah Dr
 City, State, ZIP+4 Henderson NV 89044

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> X <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to: <u>Rosa Keller</u> <u>2432 Hamonah Dr</u> <u>Henderson NV</u> <u>89044</u></p>		<p>B. Received by (Printed Name) _____ C. Date of Delivery <u>6/24/05</u></p>	
<p>2. Article Number (Transfer from service label) <u>7013 1090 0000 1699 1944</u></p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below: _____</p>	
<p>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

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