

FILED

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REAL ESTATE COMMISSION  
BY *Barney C. Ales*

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12 Donald B. Parker

13 **BEFORE THE REAL ESTATE COMMISSION**

14 **STATE OF NEVADA**

15 SHARATH CHANDRA, Administrator,  
16 REAL ESTATE DIVISION, DEPARTMENT  
17 OF BUSINESS & INDUSTRY,  
18 STATE OF NEVADA

Case No.: RES-14-06-04-1164

Petitioner,

**ANSWER TO COMPLAINT**

vs.

DONALD B. PARKER,

Respondent.

21 Respondent, Donald B. Parker, by and through his attorney, Barney C. Ales, Esq. of  
22 Barney C. Ales, Ltd, and submit his Answer to Petitioner's Complaint as follow:

23 1. Respondent denies each and every allegation contained in the Complaint that is  
24 hereinafter not expressly admitted or otherwise pled to.

25 2. In answering to the paragraph entitled "JURISTITION," Respondent  
26 acknowledges that he is subject to the jurisdiction of the Division.  
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1           3.     In answering paragraph 1 contained in the Complaint, Respondent states that  
2 while he does not have personal knowledge of the allegations set forth in that paragraph, he  
3 believes them to be accurate.

4           4.     In answering paragraph 2 contained in the Complaint, Respondent states that  
5 while he does not have personal knowledge of the allegations set forth in that paragraph, he  
6 believes them to be accurate.

7           5.     In answering paragraph 3 contained in the Complaint, Respondent states that  
8 while he does not have personal knowledge of when DeShaw formed Trust Realty & Property  
9 Management, LLC, he believes that allegation to be accurate; and, he admits that he was hired to  
10 be his broker, however, he only agreed to become the broker based on representations made to  
11 him that he relied on that lead him to believe the problems created by the embezzlement of  
12 William Chin would be corrected and the property owners would recover the money they lost as  
13 a result of the embezzlement.

14           6.     In answering paragraph 4 contained in the Complaint, Respondent is without  
15 sufficient information to form a belief as to the accuracy of the allegations contained therein and  
16 on that basis, denies each and every allegation set forth in said paragraph; nevertheless,  
17 Respondent states that he was under the belief and understanding that DeShaw doing business as  
18 Trust Realty & Property Management, LLC, assumed the ownership of all of its contracts with  
19 the consent of the property owners.

20           7.     In answering paragraph 5 contained in the Complaint, Respondent admits the  
21 allegations set forth in that paragraph.

22           8.     In answering paragraph 6 contained in the Complaint, Respondent states that he  
23 was unaware of any complaint made against him or against DeShaw doing business as Trust  
24 Realty & Property Management, LLC, as DeShaw prevented Respondent's access to the mail  
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1 and phone messages to him, or otherwise intercepted the mail and phone messages directed to  
2 him.

3 9. In answering paragraph 7 contained in the Complaint, Respondent admits the  
4 allegations set forth in that paragraph.

5 10. In answering paragraph 8 contained in the Complaint, Respondent admits the  
6 allegations set forth in that paragraph.

7 11. In answering paragraph 9 contained in the Complaint, Respondent admits the  
8 allegations set forth in that paragraph.

9 12. In answering paragraph 10 contained in the Complaint, Respondent admits the  
10 allegations set forth in that paragraph.

11 13. In answering paragraph 11 contained in the Complaint, Respondent admits the  
12 allegations set forth in that paragraph.

13 14. In answering paragraph 12 contained in the Complaint, Respondent admits the  
14 allegations set forth in that paragraph.

15 15. In answering paragraph 13 contained in the Complaint, Respondent admits the  
16 allegations set forth in that paragraph.

17 16. In answering paragraph 14 contained in the Complaint, Respondent admits the  
18 allegations set forth in that paragraph.

19 17. In answering paragraph 15 contained in the Complaint, Respondent admits the  
20 allegations set forth in that paragraph.

21 18. In answering paragraph 16 contained in the Complaint, Respondent admits the  
22 allegations set forth in that paragraph.

23 19. In answering paragraph 17 contained in the Complaint, Respondent admits the  
24 allegations set forth in that paragraph.

1           20. In answering paragraph 18 contained in the Complaint, Respondent admits the  
2 allegations set forth in that paragraph.

3           21. In answering paragraph 19 contained in the Complaint, Respondent admits the  
4 allegations set forth in that paragraph.

5           22. In answering paragraph 20 contained in the Complaint, Respondent admits the  
6 allegations set forth in that paragraph.

7           23. In answering paragraph 21 contained in the Complaint, Respondent admits the  
8 allegations set forth in that paragraph.

9           24. In answering paragraph 22 contained in the Complaint, Respondent states that he  
10 was under the belief and understanding that the rents collected and security deposit held by  
11 DeShaw doing business as Trust Realty & Property Management, LLC, were remitted to the  
12 owners and tenants; and based on that belief and understanding, he denies the allegations set  
13 forth in that paragraph.

14           25. In answering paragraph 23 contained in the Complaint, Respondent is without  
15 sufficient information to form a belief as to the accuracy of the allegations contained therein and  
16 on that basis, denies each and every allegation set forth in said paragraph.

17           26. In answering paragraph 24 contained in the Complaint, Respondent is without  
18 sufficient information to form a belief as to the accuracy of the allegations contained therein and  
19 on that basis, denies each and every allegation set forth in said paragraph.

20           27. In answering paragraphs 25 contained in the Complaint, Respondent states that he  
21 was under the belief and understanding there was a trust account established by DeShaw doing  
22 business as Trust Realty & Property Management, LLC, and based on that belief and  
23 understanding, he denies the allegations set forth in that paragraph.

24           28. In answering paragraph 26 contained in the Complaint, Respondent states he was  
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1 only a signor on the accounts that he was aware of related to the property management business  
2 being conducted by DeShaw doing business as Trust Realty & Property Management, LLC; and  
3 thus, he denies the allegations set forth in that paragraph.

4 29. In answering paragraph 27 contained in the Complaint, Respondent denies the  
5 allegations set forth in that paragraph.

6 30. In answering paragraph 28 contained in the Complaint, Respondent denies the  
7 allegations set forth in that paragraph.

8 31. In answering paragraph 29 contained in the Complaint, Respondent denies the  
9 allegations set forth in that paragraph.

10 32. In answering paragraph 30 contained in the Complaint, Respondent denies the  
11 allegations set forth in that paragraph.

12 33. In answering paragraph 31 contained in the Complaint, Respondent submits that  
13 said paragraph does not contain facts, but contain statements of law to which no response is  
14 required. However, to the extent a response is required, Respondent states that the allegations  
15 appear to be a paraphrase of Nevada statutory law, but he denies that he violated that law.

16 34. In answering paragraph 32 contained in the Complaint, Respondent submits that  
17 said paragraph does not contain facts, but contain statements of law to which no response is  
18 required. However, to the extent a response is required, Respondent states that the allegations  
19 appear to be a paraphrase of Nevada statutory law, but he denies that he violated that law.

20 35. In answering paragraph 33 contained in the Complaint, Respondent  
21 acknowledges that the Division has requested the Commission take disciplinary action against  
22 him, but he denies that he violated any laws or otherwise acted in a manner to justify the  
23 Division to request the Commission to take disciplinary action against him.

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RESERVATION OF RIGHTS AFFIRMATIVE DEFENSES

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Respondent submits that any possible affirmative defenses have not have been alleged because sufficient facts are not yet available to allege them after reasonable inquiry upon the filing of this Answer. Respondent does not waive his right to assert affirmative defenses, if warranted, as additional facts become investigated or subsequently known to him. Accordingly, Respondent reserves his right to later raise any affirmative defenses.

WHEREFORE, Respondent, Donald B. Parker, respectfully requests that the Compliant be dismissed as there are sufficient mitigating factors and extenuating circumstances that obviate the necessity of imposing disciplinary action.

DATED this 28<sup>th</sup> day of December, 2016

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*Attorney for Respondent,  
Donald B. Parker*

**CERTIFICATE OF SERVICE**

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I hereby certify that on the 28<sup>th</sup> day of December, 2016 a true and copy of the ANSWER TO COMPLAINT was served by electronic mail and by placing a true and correct copy of the foregoing in the U.S. Mail, postage prepaid, addressed as follows:

Sharath Chandra, Administrator  
2501 East Sahara Avenue  
Las Vegas, Nevada 89104-4137

Email: rhardin@red.nv.gov

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Deputy Attorney General  
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