

FILED

NOV 03 2016

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 14-06-04-1164

Petitioner,

vs.

COMPLAINT AND NOTICE OF HEARING

DONALD B. PARKER,

Respondent.

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 Donald J. Bordelove, Deputy Attorney General, hereby notifies RESPONDENT DONALD B. PARKER ("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, at the relevant times mentioned in this Complaint, was licensed as a Broker under license numbers B.0037383.INDV and B.1001371.LLC and as a property manager under permits PM.0137383.BKR and PM.0166112.BKR and is currently in an active status under license number B.0037383.INDV and permit PM.0137383.BKR and is therefore subject to the jurisdiction of the Division and the provisions of NRS chapter 645 and NAC chapter 645.

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Attorney General's Office
555 E. Washington, Suite 3900
Las Vegas, NV 89101

FACTUAL ALLEGATIONS

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2 1. Daryl Bryon DeShaw ("DeShaw") was an owner and salesperson of WC Realty
3 and Property Management ("WC Realty"), under broker William Chin ("Chin").

4 2. Chin's broker's license was revoked by the Commission for embezzlement of
5 client funds in or about March 2014.

6 3. Thereafter, in or about April 2014, DeShaw formed Trust Realty & Property
7 Management, LLC ("Trust Realty") and hired RESPONDENT as his new broker.

8 4. DeShaw assumed the ownership of all of WC Realty management contracts
9 without the consent of the property owners.

10 5. DeShaw's salesperson license was revoked by the Commission for
11 embezzlement of client funds in or about December 2015.

12 6. From May 30, 2014 to November 10, 2014, sixteen (16) complaints were made
13 against RESPONDENT for failure to remit owner rental payments and withholding of tenant
14 security deposits.

15 7. On or about May 30, 2014, Rafael L. Rivera filed the first complaint against
16 DeShaw, RESPONDENT, and Trust Realty concerning non-payment of his rental income for
17 the months of April and May 2014.

18 8. On or about June 2, 2014, Maria Estela Lao filed a complaint concerning non-
19 payment of her May 2014 rental income.

20 9. On or about June 4, 2014, Xavier Plano, as power of attorney for his mother
21 Vilma Plano (property owner), filed a complaint indicating that after receiving their April 2014
22 rent, they had not received payment since then.

23 10. On or about June 16, 2014, Jerry Hedrick filed complaint concerning late
24 payment of April 2014 rental income and non-payment of rental income thereafter.

25 11. On or about June 23, 2014, Bernadita Salvador filed a complaint concerning
26 non-payment of May and June 2014 rental income.

27 12. On or about June 25, 2014, Yolanda and Isagani Pantig filed a complaint
28 concerning non-payment of May and June 2014 rental income.

1 of the Commission is concluded. The Commission meeting will be held on December
2 5, 2016, at the Grant Sawyer Building, Gaming Control Board, 555 East Washington
3 Avenue, Room 2450, Las Vegas, Nevada 89101. The meeting will continue on
4 December 6, 2016 at the Nevada Department of Employment Training and
5 Rehabilitation, 2800 East St. Louis Avenue, Conference Room A-C, Las Vegas, NV
6 89104, commencing at 9:00 a.m., and on December 7, 2016, should business not be
7 concluded, starting at 9:00 a.m. at the Nevada Department of Employment Training and
8 Rehabilitation, 2800 East St. Louis Avenue, Conference Room A-C, Las Vegas, NV
9 89104.

10 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the
11 same time as part of a regular meeting of the Commission that is expected to last from
12 December 5 through December 7, 2016, or earlier if the business of the Commission is
13 concluded. Thus, your hearing may be continued until later in the day or from day to
14 day. It is your responsibility to be present when your case is called. If you are not
15 present when your hearing is called, a default may be entered against you and the
16 Commission may decide the case as if all allegations in the complaint were true. If you
17 have any questions please call Rebecca Hardin, Commission Coordinator (702) 486-
18 4074.

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

25 As the Respondent, you are specifically informed that you have the right to appear and
26 be heard in your defense, either personally or through your counsel of choice. At the hearing,
27 the Division has the burden of proving the allegations in the complaint and will call witnesses
28 and present evidence against you. You have the right to respond and to present relevant

1 evidence and argument on all issues involved. You have the right to call and examine
2 witnesses, introduce exhibits, and cross-examine opposing witnesses on any matter relevant
3 to the issues involved.

4 You have the right to request that the Commission issue subpoenas to compel
5 witnesses to testify and/or evidence to be offered on your behalf. In making the request, you
6 may be required to demonstrate the relevance of the witness' testimony and/or evidence.
7 Other important rights you have are listed in NRS 645.680 through 645.990, NRS Chapter
8 233B, and NAC 645.810 through 645.875.


9 The purpose of the hearing is to determine if the Respondent has violated NRS 645
10 and/or NAC 645 and if the allegations contained herein are substantially proven by the
11 evidence presented and to further determine what administrative penalty is to be assessed
12 against the Respondent, if any, pursuant to NRS 645.633 and/or NRS 645.630 and/or NRS
13 622.400.

14 DATED this 1st day of November, 2016.

15 State of Nevada
16 Department of Business and Industry
17 Real Estate Division

18 By: 
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