

FILED

APR 20 2017

REAL ESTATE COMMISSION
BY *[Signature]*

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Case No. 2014-4418

Petitioner,

vs.

GARY M. WILSON,

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 GARY M. WILSON ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE 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 salesperson under license number S.0167821.LLC, 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 1. RESPONDENT has been licensed as a salesperson under license number
3 S.0167821.LLC since March 17, 2009, and is currently in active status.

4 2. At all times relevant to this Complaint, RESPONDENT was associated with broker
5 Adam David Fenn at Haines and Krieger Realty.

6 3. RESPONDENT knowingly submitted to Wells Fargo a fraudulent, fabricated and/or
7 altered April 1 to 30, 2014 bank statement from Clark County Credit Union regarding real property on
8 East Reno Avenue, Las Vegas, Nevada.

9 4. RESPONDENT knowingly submitted to Wells Fargo a fraudulent, fabricated and/or
10 altered May 1 to 31, 2014 bank statement from US Bank regarding real property on East Reno Avenue,
11 Las Vegas, Nevada.

12 5. RESPONDENT knowingly submitted to Wells Fargo a fraudulent, fabricated and/or
13 altered July 1 to 31, 2014 bank statement from US Bank regarding real property on Cape Sand Drive,
14 Las Vegas, Nevada.

15 6. RESPONDENT knowingly submitted to Wells Fargo a fraudulent, fabricated and/or
16 altered August 1 to 31, 2014 bank statement from US Bank regarding real property on Cape Sand
17 Drive, Las Vegas, Nevada.

18 7. RESPONDENT knowingly submitted to Wells Fargo a fraudulent, fabricated and/or
19 altered August 1 to 31, 2014 bank statement from US Bank regarding real property on Furnace Gulch
20 Avenue, Las Vegas, Nevada.

21 8. RESPONDENT knowingly submitted to Wells Fargo a fraudulent, fabricated and/or
22 altered October 1 to 31, 2014 bank statement from US Bank regarding real property on Auckland
23 Drive, Las Vegas, Nevada.

24 9. RESPONDENT knowingly submitted to Wells Fargo a fraudulent, fabricated and/or
25 altered October 1 to 31, 2014 bank statement from US Bank regarding real property on Escatawpa Bay
26 Court, Las Vegas, Nevada.

27 10. On or about December 10, 2014, Wells Fargo filed a Statement of Fact with the Division
28 complaining about RESPONDENT's conduct.

1 **VIOLATIONS**

2 RESPONDENT has committed the following violations of law:

3 11. RESPONDENT violated NRS 645.630(1)(a) and/or NRS 645.633(1)(i) on seven
4 occasions by providing fraudulent, fabricated and/or altered bank statements to Wells Fargo.

5 **DISCIPLINE AUTHORIZED**

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

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

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

14 **NOTICE OF HEARING**

15 **PLEASE TAKE NOTICE** that a disciplinary hearing has been set to consider the
16 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and
17 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

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

23 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the same
24 time as part of a regular meeting of the Commission that is expected to last from May 23-25,
25 2017, or earlier if the business of the Commission is concluded. Thus, your hearing may be
26 continued until later in the day or from day to day. It is your responsibility to be present when
27 your case is called. If you are not present when your hearing is called, a default may be entered
28 against you and the Commission may decide the case as if all allegations in the complaint were

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


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

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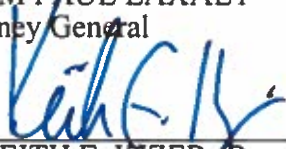
1 presented and to further determine what administrative penalty is to be assessed against the
2 RESPONDENT, if any, pursuant to NRS 645.235, 645.633 and or 645.630.

3 DATED this 19 day of April, 2017.

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

7 By: 
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12 ADAM PAUL LAXALT
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