

1 BEFORE THE REAL ESTATE COMMISSION

2 STATE OF NEVADA

3 SHARATH CHANDRA, Administrator,
4 REAL ESTATE DIVISION, DEPARTMENT
5 OF BUSINESS & INDUSTRY,
6 STATE OF NEVADA,

7 Petitioner,

8 vs.

9 DANIEL HAYES,

10 Respondent.

Case No. 2017-128

FILED

DEC 28 2018

REAL ESTATE COMMISSION
BY *Evelyn Patten*

11 **DECISION**

12 This matter came on for hearing before the Nevada Real Estate Commission, State of Nevada
13 (“Commission”) on Tuesday, December 4, 2018, at the Nevada State Business Center, 3300 W. Sahara
14 Avenue, Las Vegas, Nevada 89102. Respondent Daniel Hayes (“Respondent”) failed to appear. Dennis
15 L. Belcourt, Deputy Attorney General, appeared and prosecuted the Complaint on behalf of petitioner
16 Sharath Chandra, Administrator of the Real Estate Division, Department of Business & Industry, State
17 of Nevada (“Division”).

18 On the Commission’s finding of proof of sufficient service, and the matter having been submitted
19 for decision based upon the allegations of the Complaint, the Commission now enters its Findings of Fact
20 and Conclusions of Law as follows:

21 **FINDINGS OF FACT**

22 1. On or about January 19, 2017, the Division discovered that RESPONDENT engaged in
23 advertising the services of a real estate broker, real estate broker-salesperson, real estate salesperson, or
24 a business broker, without first obtaining a license from the Division to perform such activities.

25 2. RESPONDENT has never obtained from the Division a real estate license or a permit to
26 engage in such activities.

27 3. At all times relevant to this complaint, RESPONDENT operated Hundred Acre
28 Consulting, LLC, (“HAC”).

1 4. RESPONDENT, through the website BIZBUYSELL, advertised the sale of businesses
2 and/or franchises located in Nevada.

3 5. RESPONDENT advertised on BIZBUYSELL for the sale of a franchised for the
4 Modernized Coin Laundry in Las Vegas, Nevada.

5 6. RESPONDENT stated an asking price of \$299,999 for the business referred to in
6 paragraph 5.

7 7. RESPONDENT also advertised on BIZBUYSELL for the sale of Eco-Green Junk
8 Removal recycling franchise in Las Vegas, Nevada.

9 8. RESPONDENT stated an asking price of \$189,888 for the business referred to in
10 paragraph 7.

11 9. Pursuant to NRS 645.230(1)(a) and (d), RESPONDENT performed the services of a real
12 estate broker, real estate broker-salesperson, real estate salesperson, or business broker without first
13 obtaining a license by advertising the aforementioned businesses for sale with detailed information
14 describing the real estate, square footage of buildings, stating that the facilities were leased, and/or stating
15 that the businesses were "established franchise[s]."

16 10. On or about January 20, 2017, the Administrator of the Division issued a Cease and Desist
17 Order to RESPONDENT, ordering RESPONDENT to cease and desist from conducting all broker
18 activities.

19 11. RESPONDENT is still operating HAC.

20 **CONCLUSIONS OF LAW**

21 12. RESPONDENT violated NRS 645.230(1)(a) by engaging in the business of, acting in the
22 capacity of, advertising or assuming to act as a real estate broker, real estate broker-salesperson, or a real
23 estate salesperson without first obtaining from the Division a license as a real estate broker, real estate
24 broker-salesperson, or real estate salesperson.

25 ...
26 ...
27 ...
28 ...

1 **ORDER**

2 IT IS HEREBY ORDERED that RESPONDENT pay to the Division a fine of \$5,000.00 and
3 \$867.17 in investigative costs and attorneys' fees within thirty (30) days of the effective date of this order.

4 The Commission retains jurisdiction for correcting any errors that may have occurred in the
5 drafting and issuance of this Decision.

6 This Order shall become effective on the 7th day of February, 20~~18~~¹⁹.

7 DATED this 8th day of January, 20~~18~~¹⁹.

8 REAL ESTATE COMMISSION
9 STATE OF NEVADA

10
11 By: 
12 President, Nevada Real Estate Commission