

FILED

APR 03 2018

BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

REAL ESTATE COMMISSION
BY *[Signature]*

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

Case No. 2016-2164

Petitioner,

vs.

**STIPULATION FOR SETTLEMENT
OF DISCIPLINARY ACTION**

JULES (J.J.) MITCHELL LEHR,

Respondent.

This Stipulation for Settlement of Disciplinary Action ("Stipulation") is entered into between the Petitioner, State of Nevada, Department of Business and Industry, Real Estate Division ("Division"), through its Administrator, Sharath Chandra, and Respondent, Jules (J.J.) Mitchell Lehr ("Respondent").

JURISDICTION

Respondent stipulates and agrees that he was at all relevant times, licensed in Nevada by the Division as alleged in the Complaint. Respondent agrees that he is subject to Nevada Revised Statutes ("NRS") Chapter 645 and Nevada Administrative Code ("NAC") Chapter 645 and to the jurisdiction of the Division and the Commission.

SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT

1. Respondent has been licensed as a Salesperson, license number S.0174507 since April 1, 2014, and is in active status.

2. At all times relevant to the Complaint, Respondent was affiliated with Vegas One Realty under broker Thomas C. Leigh.

3. Respondent has never obtained from the Division a permit to engage in property management.

4. In or about February 2016, Reggie Datangel owned a rental property at 4789 Luna Ridge Court, Las Vegas, Nevada (the "Property").

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1 5. On or about February 4, 2016, Respondent prepared a Rental Application and a
2 Residential Lease Agreement (the "Agreement") between Datangel and Salvatore Maddox.

3 6. The Agreement lists Respondent's phone number as the Landlord emergency contact
4 phone number.

5 7. During the term of that Agreement, Datangel gave Respondent \$150.00 to pay a plumber
6 to make a repair to the Property.

7 8. Instead of giving that money to a plumber, Respondent gave that money to his wife.

8 9. When Maddox moved out of the Property, Datangel gave Respondent \$1,500.00 of the
9 security deposit to refund to Maddox.

10 10. Respondent paid Maddox \$1,300.00 of the security deposit refund.

11 11. On or about May 6, 2016, Leigh met with Respondent about his dealings with Datangel
12 and Maddox.

13 12. At that time, Respondent told Leigh that he had paid Maddox \$1,300.00 and would be
14 paying Maddox the other \$200.00 that same day.

15 13. However, on or about August 29, 2016, Respondent claims Maddox told him to keep the
16 other \$200.00.

17 **SUMMARY OF VIOLATIONS OF LAW ALLEGED IN THE COMPLAINT**

18 14. Respondent violated NRS 645.230(1)(b) by engaging in property management without a
19 permit.

20 15. Respondent violated NRS 645.630(1)(f) on two occasions by failing, within a reasonable
21 time, to account for or to remit any money which came into his possession and which belongs to others.

22 **SETTLEMENT**

23 16. The Division was prepared to present its case based upon the Complaint filed with the
24 Commission.

25 17. Respondent admits to the facts as alleged in the Complaint.

26 18. The Parties desire to compromise and settle the instant controversy upon the following
27 terms and conditions.

28 ...

1 19. Respondent agrees he will not apply for a permit to engage in property management in
2 the State of Nevada for a period of five years from the effective date of the Order Approving Settlement
3 Agreement. Moreover, any such application would need the approval of the Commission.

4 20. Respondent agrees to pay to the Division a total of \$2,000.00 in an administrative fine
5 (\$1,500.00) and costs (\$500.00) within 90 days of the effective date of the Commission's Order
6 Approving Stipulation. No grace period is permitted. Payment not actually received by the Division on
7 or before its due date shall be construed as an event of default by Respondent.

8 21. In the event of default, Respondent agrees that his license shall be immediately
9 suspended, and the unpaid balance, together with any attorney's fees and costs that may have been
10 assessed, shall be due in full to the Division within ten calendar days of the date of default. Respondent
11 agrees that the suspension of his license shall continue until the unpaid balance is paid in full. Further,
12 debt collection actions for unpaid monetary assessments in this case may be instituted by the Division.

13 22. Respondent agrees to attend three hours of law and legislation, three hours of agency,
14 and six hours of ethics in continuing education, all of which must be completed within 90 days of the
15 effective date of the Commission's Order Approving Stipulation. The hours must be live education and
16 will not count towards Respondent's continuing education requirements. Respondent agrees that his
17 license shall be immediately suspended if he fails to timely attend and complete the above continuing
18 education. Respondent agrees that the suspension of his license shall continue until the continuing
19 education is completed.

20 23. The Division agrees not to pursue any other or greater remedies or fines in connection
21 with Respondent's alleged conduct referenced herein.

22 24. Respondent and the Division agree that by entering into this Stipulation, the Division
23 does not concede any defense or mitigation Respondent may assert and that once this Stipulation is
24 approved and fully performed, the Division will close its file in this matter.

25 25. Respondent agrees that if the administrative fine is not paid within the time period set
26 forth hereinabove, the Division may, at its option, rescind this Stipulation and proceed with prosecuting
27 the Complaint before the Commission.

28 ...

1 26. Respondent agrees and understands that by entering into this Stipulation, Respondent is
2 waiving his right to a hearing at which Respondent may present evidence in his defense, his right to a
3 written decision on the merits of the complaint, his rights to reconsideration and/or rehearing, appeal
4 and/or judicial review, and all other rights which may be accorded by the Nevada Administrative
5 Procedure Act, the Nevada Real Estate Brokers and Salespersons statutes and accompanying
6 regulations, and the federal and state constitutions. Respondent understands that this Agreement and
7 other documentation may be subject to public records laws. The Commission members who review
8 this matter for approval of this Stipulation may be the same members who ultimately hear, consider and
9 decide the Complaint if this Stipulation is either not approved by the Commission or is not timely
10 performed by Respondent. Respondent fully understands that he has the right to be represented by legal
11 counsel in this matter at his own expense.

12 27. Stipulation is Not Evidence. Neither this Stipulation nor any statements made
13 concerning this Stipulation may be discussed or introduced into evidence at any hearing on the
14 Complaint, if the Division must ultimately present its case based on the Complaint filed in this matter.

15 28. Approval of Stipulation. Once executed, this Stipulation will be filed with the
16 Commission for approval at its March 2018 public meeting. The Division will recommend to the
17 Commission approval of the Stipulation. Respondent agrees that the Commission may approve, reject,
18 or suggest amendments to this Stipulation that must be accepted or rejected by Respondent before any
19 amendment is effective.

20 29. Withdrawal of Stipulation. If the Commission rejects this Stipulation or suggests
21 amendments unacceptable to Respondent, Respondent may withdraw from this Stipulation and the
22 Division may pursue its Complaint before the Commission at the Commission's regular public meeting.

23 30. Release. In consideration of execution of this Stipulation, the Respondent for himself,
24 his heirs, executors, administrators, successors, and assigns, hereby release, remise, and forever
25 discharge the State of Nevada, the Department of Business and Industry and the Division, and each of
26 their respective members, agents, employees and counsel in their individual and representative
27 capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions,
28 claims, and demands whatsoever, known and unknown, in law or equity, that the Respondent ever had,

1 now has, may have, or claim to have, against any or all of the persons or entities named in this section,
2 arising out of or by reason of the Division's investigation, this disciplinary action, and all other matters
3 relating thereto.

4 31. Indemnification. Respondent hereby indemnifies and holds harmless the State of
5 Nevada, the Department of Business and Industry, the Division, and each of their respective members,
6 agents, employees and counsel in their individual and representative capacities against any and all
7 claims, suits, and actions brought against said persons and/or entities by reason of the Division's
8 investigation, this disciplinary action and all other matters relating thereto, and against any and all
9 expenses, damages, and costs, including court costs and attorney fees, which may be sustained by the
10 persons and/or entities named in this section as a result of said claims, suits, and actions.

11 32. Respondent has signed and dated this Stipulation only after reading and understanding
12 all terms herein.

13 Dated: 3/21/18

14 By: 
15 Jules (J.J.) Mitchell Lehr, Respondent

16 Dated: 3/21/18

17 State of Nevada
18 Department of Business and Industry
19 Real Estate Division
20 By: 
21 Sharath Chandra, Administrator

22 Approved as to form:


22 Approved as to form:


23 Dated: 3/21/18

23 Dated: 3/21/16

24 ADAM PAUL LAXALT
25 Attorney General

24 Law Office of Andrew H. Pastwick L.L.C.

26 By: 
27 Keith E. Kizer
28 Senior Deputy Attorney General
Attorney for the Real Estate Division

26 By: 
27 Andrew H. Pastwick, Esq.
28 Attorney for Respondent

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ORDER APPROVING STIPULATION

The Stipulation for Settlement of Disciplinary Action having come before the Real Estate Commission, Department of Business and Industry, State of Nevada, during its regular agenda on March 21, 2018, and the Commission being fully apprised in the premises, and good cause appearing,

IT IS ORDERED that the above Stipulation is approved in full.

This Order shall become effective on the 31th day of MAY, 2018.

Dated this 28th day of MARCH, 2018.

NEVADA REAL ESTATE COMMISSION

By: 

President, Nevada Real Estate Commission