

JUN 26 2018

BEFORE THE REAL ESTATE COMMISSION REAL ESTATE COMMISSION

STATE OF NEVADA

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

Case No.: 2016-3035

Petitioner,

STIPULATION FOR SETTLEMENT OF  
DISCIPLINARY ACTION

vs.

ALEXANDER PEREZ a.k.a.  
ALEJANDRO PEREZ a.k.a. ALEX  
PEREZ,

Respondent.

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

JURISDICTION

Respondent engaged in activities which require a license as a real estate broker, real estate broker-salesperson, or real estate salesperson, and a permit to engage in property management, issued by the Division and is, therefore, subject to the jurisdiction of the Division and the Commission, and the provisions of NRS and NAC 645.

FACTUAL ALLEGATIONS

1. At all times relevant, Respondent was not licensed by the Division in any capacity. Respondent formerly was licensed by the Division as Timeshare Agent, license no. TS.0032453-AGEN, from October 18, 2004, through October 31, 2010.

2. Respondent currently with the owner of Nobel Property Management, a.k.a. Noble Property Management, in Elko, Nevada.

1           3.     Respondent is listed as the managing member of Nobel Property  
2 Management, LLC, which is registered with the Nevada Secretary of State and active as  
3 of February 3, 2017.

4           4.     The Nobel Property Management Facebook website demonstrates that the  
5 Respondent advertises properties for sale in Nevada and offers his services to sell and  
6 purchase properties without a real estate license.

7           5.     Respondent also advertises via websites, including:  
8 [www.nobankcreditneeded.com](http://www.nobankcreditneeded.com), [www.zillow.com](http://www.zillow.com), [www.sellvourelkohousefast.com](http://www.sellvourelkohousefast.com), and  
9 [www.twitter.com](http://www.twitter.com), where Respondent advertises a range of real estate services including  
10 property management and real estate brokerage.

11          6.     Respondent maintains advertisements with real property walk-through  
12 videos on YouTube for homes he is offering to either sell, lease with option to buy, or rent.

13          7.     Respondent's YouTube page includes advertisements for homes he does not  
14 own, including, but not limited to: (1) 201 W. Adams St., Elko, Nevada 89801; (2) 202 Bar  
15 None Ln., Elko, NV 89801; (3) 1213 River St., Elko, NV 89801; (4) 345 Fir St., Elko, NV  
16 89801; (5) 687 Carlin Ct., Elko, NV 89801; (6) 993 River St., Elko, NV 89801; (7) 811  
17 Westwood Dr., #9, Elko, NV 89801.

18          8.     On or about July 11, 2016, the Division sent Respondent an email requesting  
19 further explanation/description of his services as part of Nobel/Noble Property  
20 Management.

21          9.     On or about July 27, 2016, the Division sent Respondent, via certified mail to  
22 the last address on file with the Division, a Cease & Desist Order as well as an  
23 Investigation Opening Letter. The Investigation Opening Letter requested a response  
24 from Respondent to the allegations contained therein not later than August 9, 2016.

25          10.    On or about August 30, 2016, the Division sent Respondent, via certified  
26 mail to the last address on file with the Division, a Demand Letter, stating that  
27 Respondent's failure to respond to the Division's investigation constituted a violation of  
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1 NRS 645.635(6).

2 11. On or about October 24, 2016, the Division sent Respondent, via certified  
3 mail to the last address on file with the Division, an NRS 233B notice of intention to  
4 commence disciplinary action against him by filing a complaint and request for hearing  
5 with the Nevada Real Estate Commission for violations of NRS 645.230(1)(b) and NRS  
6 NRS 645.235(1)(a).

7 12. As of February 3, 2017, Respondent had not responded to any of the  
8 Division's communications.

9 **VIOLATIONS**

10 Respondent has committed the following violations of law:

11 13. Respondent violated NRS 645.230(1)(a) by advertising his services as a real  
12 estate broker, real estate broker-salesperson, or real estate salesperson within the State  
13 of Nevada without first obtaining the appropriate license from the Real Estate Division.

14 14. Respondent violated NRS 645.230(1)(b) by advertising his services as a  
15 property manager within the State of Nevada without first obtaining from the Real  
16 Estate Division, as provided for in NRS 645, a license as a real estate broker, real estate  
17 broker-salesperson, or real estate salesperson and a permit to engage in property  
18 management.

19 15. Respondent violated NRS 645.235(1)(a) by engaging in any activity for which  
20 a license, permit, certificate, or registration of any type of authorization is required  
21 pursuant to this chapter, because Respondent does not hold the required license, permit,  
22 certificate, or registration or has not been given the required authorization

23 **DISCIPLINE AUTHORIZED**

24 16. Pursuant to NRS 645.235, the Commission is empowered to impose an  
25 administrative fine in an amount not to exceed the amount of gain or economic benefit  
26 that the person derived from the violation or \$5,000, whichever amount is greater,  
27 against Respondent for each violation of NRS 645.235.  
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1 17. Additionally, under NRS Chapter 622, the Commission is authorized to  
2 impose costs of the proceeding upon Respondent, including investigative costs and  
3 attorney's fees, if the Commission otherwise imposes discipline on Respondent.

4 18. Therefore, the Division requests that the Commission take such disciplinary  
5 action as it deems appropriate under the circumstances.

6 **PROPOSED STIPULATION AGREEMENT**

7 1. In an effort to avoid the time and expense of litigating these issues before the  
8 Commission, the parties desire to compromise and settle the instant controversy upon the  
9 following terms and conditions:

- 10 a. Respondent agrees to pay \$5,000.00 to the Division within six months of  
11 the date of the Commission's order approving this stipulation. The  
12 \$5,000.00 includes \$1,000.00 to cover the Division's investigatory costs  
13 and attorney fees.
- 14 b. Respondent agrees to submit an application to the Division, with the  
15 appropriate fee, for a Real Estate Salesperson License. Respondent  
16 agrees to submit his application within 6 months of the Commission's  
17 order approving this stipulation, and shall make complete payment of the  
18 above-referenced \$5,000.00 before submitting his application.
- 19 c. Respondent agrees that he will not conduct any activity requiring a real  
20 estate license until such time as he obtains a real estate license.
- 21 d. The Division agrees that this Stipulation will not negatively impact  
22 Respondent's license application.

23 2. Respondent and the Division agree that by entering into this Stipulation,  
24 neither the Division nor the Respondent concede any defense or admit any allegations,  
25 and that once this Stipulation is approved and fully performed, the Division will close its  
26 file in this matter.

27 3. Respondent agrees and understands that by entering into this Stipulation,  
28 Respondent is waiving his right to a hearing at which Respondent may present evidence

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

12 4. Each party shall bear its or his own attorney's fees and costs.

13 5. Approval of Stipulation. Once executed, this Stipulation will be filed with the  
14 Commission and will be placed on the agenda for approval at its June 12-14, 2018, public  
15 meeting. The Division will recommend to the Commission approval of the Stipulation.  
16 Respondent agrees that the Commission may approve, reject, or suggest amendments to  
17 this Stipulation that must be accepted or rejected by Respondent before any amendment  
18 is effective.

19 6. Withdrawal of Stipulation. If the Commission rejects this Stipulation or  
20 suggests amendments unacceptable to Respondent, Respondent may withdraw from this  
21 Stipulation, and the Division may pursue its Complaint before the Commission at the  
22 Commission's next regular public meeting. This Stipulation then shall become null and  
23 void and unenforceable in any manner against either party.

24 7. Release. In consideration of the execution of this Stipulation, Respondent for  
25 himself, his heirs, executors, administrators, successors, and assigns, hereby releases,  
26 remises, and forever discharges the State of Nevada, the Department of Business and  
27 Industry, and the Division, and each of their respective members, agents, employees, and  
28 counsel in their individual and representative capacities, from any and all manner of

1 actions, causes of action, suits, debts, judgments, executions, claims, and demands  
2 whatsoever, known and unknown, in law or equity, that Respondent ever had, now has,  
3 may have, or claim to have against any or all of the persons or entities named in this  
4 section, arising out of or by reason of the Division's investigation, this disciplinary action,  
5 and all other matters relating thereto.

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

14 9. Respondent has signed and dated this Stipulation only after reading and  
15 understanding all terms herein.

16 DATED this \_\_\_\_ day of June 2018

DATED this \_\_\_\_ day of June 2018.

17  
18 By: \_\_\_\_\_  
19 ALEXANDER PEREZ

NEVADA DEPARTMENT OF BUSINESS  
& INDUSTRY, REAL ESTATE DIVISION


20 By: \_\_\_\_\_  
21 SHARATH CHANDRA  
22 Administrator


23 Approved as to form:

Approved as to form:

24 ADAM PAUL LAXALT  
25 Attorney General

MAHE LAW, LTD.

26 By:  \_\_\_\_\_  
27 PETER K. KEEGAN  
28 Deputy Attorney General  
100 N. Carson St.  
Carson City, NV 89701  
*Attorney for the Real Estate Division*

By:  \_\_\_\_\_  
JENNIFER MAHE  
707 N. Minnesota St., Ste. D  
Carson City, NV 89701  
*Attorney for Respondent*

relating thereto, and against any and all expenses, damages, and costs, including court costs and attorney fees, which may be sustained by the persons and/or entities named in this section as a result of said claims, suits, and actions.

9. Respondent has signed and dated this Stipulation only after reading and understanding all terms herein.

DATED this \_\_\_\_\_ day of June 2018

DATED this 21<sup>st</sup> day of June 2018.

By: Alejandro I Perez  
DIVISION  
ALEXANDER PEREZ

NEVADA DEPARTMENT OF BUSINESS  
& INDUSTRY, REAL ESTATE

By: [Signature]  
SHARATH CHANDRA  
Administrator

Approved as to form:

Approved as to form:

ADAM PAUL LAXALT  
Attorney General

MAHE LAW, LTD.

By: \_\_\_\_\_  
PETER K. KEEGAN  
Deputy Attorney General  
100 N. Carson St.  
Carson City, NV 89701  
*Attorney for the Real Estate Division*

By: \_\_\_\_\_  
JENNIFER MAHE  
707 N. Minnesota St., Ste. D  
Carson City, NV 89701  
*Attorney for Respondent*

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3 **STATE OF NEVADA**

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7 INDUSTRY, STATE OF NEVADA,

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ALEJANDRO PEREZ a.k.a. ALEX  
PEREZ,

Respondent.

**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 June 12, 2018, and the Commission being fully apprised of terms and good cause appearing,

IT IS ORDERED that the Stipulation for Settlement of Disciplinary Action in this matter is approved in full.

This Order shall become effective on the 28<sup>th</sup> day of July, 2018.

Dated this 14<sup>th</sup> day of JUNE, 2018.

NEVADA REAL ESTATE COMMISSION

By: 

[Print Name] DEVIN KEISS

Commission President