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REAL ESTATE COMMISSION
BY *[Signature]*

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BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

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

Petitioner,

vs.

ZACHARY ROBERTS,

Respondent.

Case No. 2017-1209

**STIPULATION FOR SETTLEMENT
OF DISCIPLINARY ACTION**

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, Zachary Roberts ("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

- Respondent has been licensed as a Broker Salesperson, license number BS.0144623, since March 16, 2015, and that license is currently in active status.
- On or about May 2, 2017, before the United States District Court for the District of Montana, Respondent entered into a plea agreement in which he pled guilty to "conspiracy to commit wire fraud and engaging in monetary transactions in property derived from specified unlawful activity, in violation of 18 U.S.C. § 371."

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1 3. On or about August 29, 2017, the United States District Court for the District of
2 Montana sentenced Respondent to (a) serve twenty months of imprisonment, (2) serve one year of
3 supervised release upon release of his imprisonment, and (3) pay \$700,000.00 in restitution.

4 4. Respondent self-reported his conviction to the Division as required by law.

5 **SUMMARY OF VIOLATION OF LAW ALLEGED IN THE COMPLAINT**

6 5. Respondent violated NRS 645.633(1)(d)(2) by being convicted of a felony involving
7 fraud, deceit, misrepresentation or moral turpitude.

8 **SETTLEMENT**

9 6. The Division was prepared to present its case based upon the Complaint filed with the
10 Commission.

11 7. Respondent admits to the facts and violation as alleged in the Complaint.

12 8. The Parties desire to compromise and settle the instant controversy upon the following
13 terms and conditions.

14 9. Respondent agrees that his real estate license is revoked and that he may not apply for
15 any real estate license or permit in Nevada for five years from the effective date of this Order.

16 10. Respondent agrees to pay to the Division \$289.00 in costs within 180 days of the
17 effective date of the Commission's Order Approving Stipulation. No grace period is permitted. If the
18 payment is not actually received by the Division on or before its due date, it shall be construed as an
19 event of default by Respondent.

20 11. In the event of default, Respondent agrees that the unpaid balance, together with any
21 attorney's fees and costs that may have been assessed, shall be due in full to the Division within ten
22 calendar days of the date of default. Debt collection actions for unpaid monetary assessments in this
23 case may be instituted by the Division.

24 12. The Division agrees not to pursue any other or greater remedies or fines in connection
25 with Respondent's alleged conduct referenced herein.

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



1 14. Respondent agrees that if the administrative ^{costs} ~~fine~~ is not paid within the time period set
2 forth hereinabove, the Division may, at its option, rescind this Stipulation and proceed with prosecuting
3 the Complaint before the Commission.

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

15 16. Except as provided above, each party shall bear its or his own attorney's fees and costs.

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

19 18. Approval of Stipulation. Once executed, this Stipulation will be filed with the
20 Commission and will be placed on the agenda for approval at a public meeting. The Division will
21 recommend to the Commission approval of the Stipulation. Respondent agrees that the Commission
22 may approve, reject, or suggest amendments to this Stipulation that must be accepted or rejected by
23 Respondent before any amendment is effective.

24 19. Withdrawal of Stipulation. If the Commission rejects this Stipulation or suggests
25 amendments unacceptable to Respondent, Respondent may withdraw from this Stipulation and the
26 Division may pursue its Complaint before the Commission at the Commission's regular public meeting.

27 20. Release. In consideration of execution of this Stipulation, Respondent for himself, his
28 heirs, executors, administrators, successors, and assigns, hereby release, remise, and forever discharge

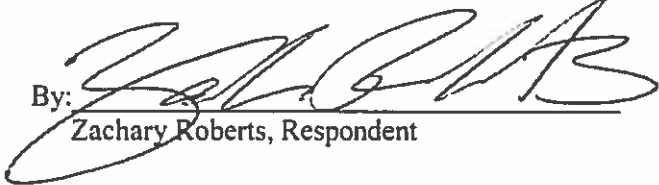


1 the State of Nevada, the Department of Business and Industry and the Division, and each of their
2 respective members, agents, employees and counsel in their individual and representative capacities,
3 from any and all manner of actions, causes of action, suits, debts, judgments, exccutions, claims, and
4 demands whatsoever, known and unknown, in law or equity, that Respondent ever had, now has, may
5 have, or claim to have, against any or all of the persons or entities named in this section, arising out of
6 or by reason of the Division's investigation, this disciplinary action, and all other matters relating
7 thereto.


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

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

17 Dated: 11/15/17

By: 
Zachary Roberts, Respondent

18
19 Dated: 12/05/17

State of Nevada
Department of Business and Industry
Real Estate Division
By: 
Sharath Chandra, Administrator

1 Approved as to form:

2 Dated: 11/27/2017

3 ADAM PAUL LAXALT
4 Attorney General

5 By: Keith E. Kizer

6 Keith E. Kizer
7 Senior Deputy Attorney General
8 Attorney for the Real Estate Division
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11 **ORDER APPROVING STIPULATION**

12 The Stipulation for Settlement of Disciplinary Action having come before the Real Estate
13 Commission, Department of Business and Industry, State of Nevada, during its regular agenda on
14 December 5, 2017, and the Commission being fully apprised in the premises, and good cause
15 appearing,

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

17 This Order shall become effective on the 2ND day of February, 2018.

18 Dated this 5TH day of December, 2017.

19 NEVADA REAL ESTATE COMMISSION

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21 By: [Signature]

22 President, Nevada Real Estate Commission
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