

FILED

BEFORE THE REAL ESTATE COMMISSION FEB 08 2017

STATE OF NEVADA

REAL ESTATE COMMISSION
BY: *Rubén Hernández*

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

Case No.: 2016-3035

Petitioner,

vs.

**COMPLAINT AND NOTICE OF
HEARING**

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

Respondent.

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 PETER K. KEEGAN, Deputy Attorney General, hereby notifies RESPONDENT ALEXANDER PEREZ ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION ("Commission"). The hearing will be held pursuant to Chapter 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 NAC 645.605 and/or NRS 645.235 and/or NRS 622.400, and the discipline to be imposed, if violations of law are proven.

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.

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FACTUAL ALLEGATIONS

1. At all times relevant, RESPONDENT was not licensed by the Division in any capacity.

2. RESPONDENT is currently employed with Nobel Property Management a.k.a. Noble Property Management, in Elko, Nevada and does not hold a Nevada Real Estate License or any permits.

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

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

5. RESPONDENT also advertises via websites, including: www.nobankcreditneeded.com, www.zillow.com, www.sellyourelkohousefast.com, and www.twitter.com, where RESPONDENT advertises a range of real estate services, including property management and real estate brokerage.

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

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

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

9. On or about July 27, 2016, the Division sent RESPONDENT, via certified mail to the last address on file with the Division, a Cease & Desist Order, as well as an

1 Investigation Opening Letter. The Investigation Opening Letter requested response from
2 RESPONDENT to the allegations contained therein not later than August 9, 2016.

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

7 11. On or about October 24, 2016, the Division sent RESPONDENT, via certified
8 mail, to the last address on file with the Division, an NRS 233B Notice of Intention to
9 Commence Disciplinary Action against him by filing a Complaint and request for a hearing
10 with the Nevada Real Estate Commission for violations of NRS 645.230(1)(b) and NRS
11 645.235(1)(a).

12 12. As of February 3, 2017, RESPONDENT has not responded to any of the
13 Division's communications.

14 VIOLATIONS

15 RESPONDENT has committed the following violations of law:

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

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

24 15. RESPONDENT violated NRS 645.235(1)(a) by engaging in any activity for
25 which a license, permit, certificate, or registration of any type of authorization is required
26 pursuant to this chapter, because RESPONDENT does not hold the required license,
27 permit, certificate, or registration or has not been given the required authorization

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DISCIPLINE AUTHORIZED

16. Pursuant to NRS 645.235, the Commission is empowered to impose an administrative fine in an amount not to exceed the amount of gain or economic benefit that the person derived from the violation or \$5,000, whichever amount is greater, against RESPONDENT for each violation of NRS 645.235.

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

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

NOTICE OF HEARING

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

THE HEARING WILL TAKE PLACE on March 14, 2017 commencing at 9:00 a.m., or as soon thereafter as the Commission is able to hear the matter, and each day thereafter commencing at 9:00 a.m. through March 16, 2017, or earlier if the business of the Commission is concluded. The Commission meeting will be held on March 14, 2017, at the Gaming Control Board, 1919 College Parkway, Carson City, Nevada 89701. The meeting will continue on March 15, 2017 at the Gaming Control Board, 1919 College Parkway, Carson City, Nevada 89701, commencing at 9:00 a.m., and on March 16, 2017, should business not be concluded, starting at 9:00 a.m. at the Nevada Division of Insurance, 1818 East College Parkway, Suite 103, Carson City, Nevada 89706.

STACKED CALENDAR: Your hearing is one of several hearings scheduled at the same time as part of a regular meeting of the Commission that is expected to last from March 14 through March 16, 2017, or earlier if the business of the

1 Commission is concluded. Thus, your hearing may be continued until later in the
2 day or from day to day. It is your responsibility to be present when your case is
3 called. If you are not present when your hearing is called, a default may be
4 entered against you and the Commission may decide the case as if all allegations
5 in the Complaint were true. If you have any questions please call Rebecca
6 Hardin, Commission Coordinator, at (702) 486-4074.

7 YOUR RIGHTS AT THE HEARING: except as mentioned below, the hearing is an
8 open meeting under Nevada's Open Meeting Law, and may be attended by the public. After
9 the evidence and arguments, the Commission may conduct a closed meeting to discuss your
10 alleged misconduct or professional competence. A verbatim record will be made by a
11 certified court reporter. You are entitled to a copy of the transcript of the open and closed
12 portions of the meeting, although you must pay for the transcription.

13 As the RESPONDENT, you are specifically informed that you have the right to
14 appear and be heard in your defense, either personally or through your counsel of choice.
15 At the hearing, the Division has the burden of proving the allegations in the Complaint and
16 will call witnesses and present evidence against you. You have the right to respond and to
17 present relevant evidence and argument on all issues involved. You have the right to call
18 and examine witnesses, introduce exhibits, and cross-examine opposing witnesses on any
19 matter relevant to the issues involved.

20 You have the right to request that the Commission issue subpoenas to compel
21 witnesses to testify and/or evidence to be offered on your behalf. In making the request,
22 you may be required to demonstrate the relevance of the witnesses' testimony and/or
23 evidence. Other important rights you have are listed in NRS 645.680 through 645.990,
24 NRS Chapter 233B, and NAC 645.810 through 645.920.

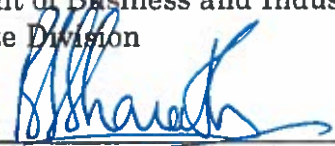
25 The purpose of the hearing is to determine if the RESPONDENT has violated NRS
26 645 and/or NAC 645, and if the allegations contained herein are substantially proven
27 by the evidence presented and to further determine what administrative penalty, if any, is
28 to be assessed against the RESPONDENT, pursuant to NRS, 645.235.

Office of the Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717

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DATED this 7 day of February, 2017.

State of Nevada
Department of Business and Industry
Real Estate Division

By: 
SHARATH CHANDRA, Administrator
2501 East Sahara Avenue
Las Vegas, Nevada 89104-4137
Telephone: (702) 486-4033

DATED this 6th day of February, 2017.

ADAM PAUL LAXALT
Attorney General

By: 
PETER K. KEEGAN
Deputy Attorney General
100 North Carson Street
Carson City, Nevada 89701
Telephone: (775) 684-1153
Attorneys for Real Estate Division


1 DATED this _____ day of February, 2017.

2 State of Nevada
3 Department of Business and Industry
4 Real Estate Division

5 By: _____
6 SHARATH CHANDRA, Administrator
7 2501 East Sahara Avenue
8 Las Vegas, Nevada 89104-4137
9 Telephone: (702) 486-4033

10 DATED this 6th day of February, 2017.

11 ADAM PAUL LAXALT
12 Attorney General

13 By:  _____
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