

**FILED**

NOV 01 2017

REAL ESTATE COMMISSION  
BY *[Signature]*

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Case No. 2017-1473

Petitioner,

vs.

JOHN ANTHONY GLASS,

Respondent.

**COMPLAINT AND NOTICE OF HEARING**

The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA ("Division") hereby notifies RESPONDENT JOHN ANTHONY GLASS ("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 RESPONDENT should be subject to an administrative penalty as set forth in 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, 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 to this Complaint, RESPONDENT was not licensed by the Division in any capacity.

2. RESPONDENT is licensed with the California Bureau of Real Estate as a salesperson, license No. 00980723.

...

1 3. At all times relevant to this Complaint, RESPONDENT was affiliated with Marcus &  
2 Millichap in San Francisco, California.

3 4. In or about June 2017, RESPONDENT engaged in the offering, soliciting, and/or listing  
4 of a commercial property located at 3695 S. Fort Apache Road, Las Vegas, Nevada (“7-Eleven”) for  
5 another and for compensation or with the intention or expectation of receiving compensation.

6 5. On or about June 26, 2017, RESPONDENT signed an Interstate Brokerage Cooperation  
7 Agreement – TURF STATE regarding the 7-Eleven offering, which provides that “NO OUT-OF-  
8 STATE AGENT INFORMATION SHALL BE INCLUDED ON ANY  
9 MARKETING/ADVERTISING MATERIALS.” (Emphasis in original.)

10 6. On or about July 10, 2017, the Division sent RESPONDENT a Cease & Desist Order.

### 11 VIOLATIONS

12 RESPONDENT has committed the following violations of law:

13 7. RESPONDENT violated NRS 645.230(1)(a) and/or NRS 645.235(1)(a) by engaging in  
14 the business of, acting in the capacity of, or advertising or assuming to act as a real estate broker, real  
15 estate broker-salesperson, or real estate salesperson within the State of Nevada without first obtaining  
16 the appropriate license or certificate from the Division.

### 17 DISCIPLINE AUTHORIZED

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

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

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

27 ...

28 ...

1 **NOTICE OF HEARING**

2 **PLEASE TAKE NOTICE** that a disciplinary hearing has been set to consider the  
3 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and  
4 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

5 **THE HEARING WILL TAKE PLACE** on December 5, 2017, commencing at 9:00 a.m., or  
6 as soon thereafter as the Commission is able to hear the matter, and each day thereafter  
7 commencing at 9:00 a.m. through December 7, 2017, or earlier if the business of the Commission  
8 is concluded. The Commission meeting will be held on December 5, 2017, at the Nevada State  
9 Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada  
10 89102. The meeting will continue on December 6, 2017 at the Nevada State Business Center, 3300  
11 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102, commencing at  
12 9:00 a.m., and on December 7, 2017, should business not be concluded, starting at 9:00 a.m. at the  
13 Nevada State Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas,  
14 Nevada 89102.

15 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the same  
16 time as part of a regular meeting of the Commission that is expected to last from December 5  
17 through December 7, 2017, or earlier if the business of the Commission is concluded. Thus, your  
18 hearing may be continued until later in the day or from day to day. It is your responsibility to be  
19 present when your case is called. If you are not present when your hearing is called, a default  
20 may be entered against you and the Commission may decide the case as if all allegations in the  
21 complaint were true. If you have any questions please call Rebecca Hardin, Commission  
22 Coordinator (702) 486-4074.

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

1 As the Respondent, you are specifically informed that you have the right to appear and be heard  
2 in your defense, either personally or through your counsel of choice. At the hearing, the Division has  
3 the burden of proving the allegations in the complaint and will call witnesses and present evidence  
4 against you. You have the right to respond and to present relevant evidence and argument on all issues  
5 involved. You have the right to call and examine witnesses, introduce exhibits, and cross-examine  
6 opposing witnesses on any matter relevant to the issues involved.

7 You have the right to request that the Commission issue subpoenas to compel witnesses to  
8 testify and/or evidence to be offered on your behalf. In making the request, you may be required to  
9 demonstrate the relevance of the witnesses' testimony and/or evidence. Other important rights you  
10 have are listed in NRS 645.680 through 645.990, NRS Chapter 233B, and NAC 645.810 through  
11 645.920.

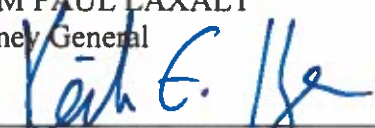
12 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC  
13 645 and if the allegations contained herein are substantially proven by the evidence presented and to  
14 further determine what administrative penalty, if any, is to be assessed against the Respondent,  
15 pursuant to NRS 645.235 and/or NRS 645.633.

16 DATED this 31 day of October, 2017.

17 State of Nevada  
18 Department of Business and Industry  
19 Real Estate Division

20 By:   
21 SHARATH CHANDRA, Administrator  
22 3300 West Sahara Avenue  
23 Las Vegas, Nevada 89102

24 ADAM PAUL LAXALT  
25 Attorney General

26 By:   
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