

BEFORE THE REAL ESTATE COMMISSION  
STATE OF NEVADA

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

Case No. 2017-169

**FILED**

JUL 05 2019

REAL ESTATE COMMISSION  
BY *[Signature]*

Petitioner,

vs.

AMRIT BHANDARI,

Respondent.

**STIPULATION AND ORDER  
FOR SETTLEMENT OF DISCIPLINARY ACTION**

This matter came on for hearing before the Real Estate Commission, Department of Business and Industry, State of Nevada (the "Commission"), during a regular agenda on June 11, 2019, at the Nevada State Business Center, 3300 W. Sahara Avenue, Nevada Room, Suite 400, Las Vegas, Nevada 89102 (the "Hearing"). The RESPONDENT, AMRIT BHANDARI (hereinafter, "RESPONDENT" or "BHANDARI") appeared and was represented by counsel, Andrew Pastwick, Esq. Michelle D. Briggs, Esq., Senior Deputy Attorney General with the Nevada Attorney General's Office, appeared on behalf of the Real Estate Division of the Department of Business and Industry, State of Nevada (the "Division"). Counsel for the parties presented the Commission with a verbal stipulated settlement. The Commission voted to approve the settlement as stipulated by the parties.

**JURISDICTION**

Respondent was at all relevant times mentioned in the complaint licensed as a broker-salesperson under license number BS.0018482, and is therefore subject to the jurisdiction of the division and the commission, and the provisions of NRS Chapter 645 and NAC Chapter 645. Respondent is currently licensed as a broker with license number B.0018482.indv.

1                                   **FACTUAL ALLEGATIONS IN THE COMPLAINT**

2           1.     RESPONDENT AMRIT BHANDARI held a broker-salesperson real estate  
3 license under Century 21 Martinez & Associates (subsequent name change to Century 21  
4 Americana) from September 19, 2016 to December 5, 2016.

5           2.     On or about January 23, 2017, the Division received a statement of fact  
6 against RESPONDENT filed by Juan Martinez, of Century 21 Americana,  
7 RESPONDENT'S previous associated broker.

8           3.     Mr. Martinez's complaint states RESPONDENT requested a commission in  
9 December 2016 for a transaction involving the sale of 5000 Stanley Avenue, Las Vegas  
10 consisting of an 8 unit apartment complex (the "Property").

11          4.     Mr. Martinez had not been previously notified of the pending transaction.

12          5.     RESPONDENT provided the duties owed form which states RESPONDENT  
13 is the licensee and his number is "B0018482" for the transaction and does not list his  
14 associated broker.

15          6.     RESPONDENT completed a residential purchase agreement for the  
16 transaction and also listed only himself as the broker.

17          7.     A different purchase agreement was signed by the buyer on November 12,  
18 2016 and by the seller on November 14, 2016, and it also lists only RESPONDENT as the  
19 buyer's broker.

20          8.     The Division discovered RESPONDENT pled guilty to misdemeanors  
21 involving his management of rental properties in Anaheim, California in the 1990's and  
22 served jail time.

23          9.     RESPONDENT marked "No" on his Application for Reinstatement in 2017 to  
24 the question: "Have you ever been convicted of a felony, gross misdemeanor, or  
25 misdemeanor?"

26          10.    RESPONDENT stated he marked no to the question because the charges were  
27 old and the court records were destroyed.

28    ///

1 **VIOLATIONS OF LAW ALLEGED IN THE COMPLAINT**

2 11. RESPONDENT violated NRS 645.630(1)(a) when he made a material  
3 misrepresentation on his Application for Reinstatement.

4 12. RESPONDENT violated NRS 645.630(1)(a) by making a material  
5 misrepresentation when he represented himself as a broker on the duties owed form and  
6 purchase agreement.

7 13. RESPONDENT violated NRS 645.633(1)(j) by failing to disclose his  
8 misdemeanor convictions on his Application for Reinstatement which relate to property  
9 management activities in California, and which if known to the Division would have been  
10 grounds to deny the license.

11 14. RESPONDENT violated NAC 645.650(2) and NAC 645.605(7) by failing to  
12 provide the purchase and sale agreement to his associated broker within 5 calendar days  
13 after it was signed by all the parties.

14 **SETTLEMENT**

15 The parties verbally represented their stipulation to settle this matter as follows:

16 15. RESPONDENT'S license shall be downgraded for a period of 2 years from a  
17 broker to a broker-salesperson within 30 days from the date of the Commission's Order  
18 Approving Stipulation.

19 16. RESPONDENT shall not apply for a property management permit from the  
20 Division.

21 17. RESPONDENT shall not supervise any other real estate licensees.

22 18. RESPONDENT shall take 6 hours continuing education consisting of 3 hours  
23 in the area of contracts and 3 hours in the area of ethics, to be completed within 6 months  
24 from the date of the Commission's Order Approving Stipulation. The hours must be live  
25 education and will not count toward RESPONDENT'S continuing education requirements  
26 for license renewal.

27 19. RESPONDENT shall pay an administrative fine to the Division in the total  
28 amount of \$3,200 no later than 30 days from the date of the Commission's Order Approving

1 Stipulation. No grace period is permitted. If the payment is not actually received by the  
2 Division on or before its due date, it shall be construed as an event of default by Respondent.

3 20. The Division agrees not to pursue any other or greater remedies or fines in  
4 connection with RESPONDENT'S alleged conduct referenced herein. The Division further  
5 agrees that upon RESPONDENT'S timely compliance with the Settlement terms that the  
6 Division will not bring any claim against RESPONDENT based upon any of the facts,  
7 circumstances or allegations discovered during the Division's investigation and prosecution  
8 of this case.

9 21. RESPONDENT and the Division agree that by entering into this Stipulation,  
10 the Division does not concede any defense or mitigation RESPONDENT may assert and  
11 that once this Stipulation is approved and fully performed, the Division will close its file in  
12 this matter.

13 22. RESPONDENT agrees that if this Settlement is not complied with by  
14 RESPONDENT, the Division may, at its option, rescind this Stipulation and proceed with  
15 prosecuting the Complaint before the Commission. In that case, the Stipulation shall be  
16 null and void.

17 23. RESPONDENT agrees and understands that by entering into this  
18 Stipulation, RESPONDENT is waiving his right to a hearing at which RESPONDENT may  
19 present evidence in his defense, his right to a written decision on the merits of the  
20 complaint, his rights to reconsideration and/or rehearing, appeal and/or judicial review,  
21 and all other rights which may be accorded by the Nevada Administrative Procedure Act,  
22 the Nevada Real Estate Brokers and Salespersons statutes and accompanying regulations,  
23 and the federal and state constitutions. RESPONDENT understands that this Agreement  
24 and other documentation may be subject to public records laws. The Commission members  
25 who review this matter for approval of this Stipulation may be the same members who  
26 ultimately hear, consider and decide the Complaint if this Stipulation is either not  
27 approved by the Commission or is not timely performed by RESPONDENT.  
28 RESPONDENT fully understands that he has the right to be represented by legal counsel



1 in this matter at his own expense.

2 24. RESPONDENT shall bear his own attorney's fees and costs.

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

7 26. Release. In consideration of execution of this Stipulation, the RESPONDENT  
8 for himself, his heirs, executors, administrators, successors, and assigns, hereby release,  
9 remise, and forever discharge the State of Nevada, the Department of Business and  
10 Industry and the Division, and each of their respective members, agents, employees and  
11 counsel in their individual and representative capacities, from any and all manner of  
12 actions, causes of action, suits, debts, judgments, executions, claims, and demands  
13 whatsoever, known and unknown, in law or equity, that the RESPONDENT ever had, now  
14 has, may have, or claim to have, against any or all of the persons or entities named in this  
15 section, arising out of or by reason of the Division's investigation, this disciplinary action,  
16 and all other matters relating thereto.

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

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28. The Commission confirmed with RESPONDENT that he understood and agreed to the terms presented to the Commission.

Dated: June 22, 2019.

  
AMRIT BHANDARI

### 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 11, 2019, and the Commission being fully apprised in the premises, and good cause appearing,

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

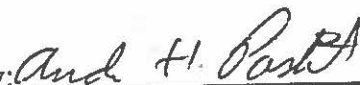
Dated: June \_\_\_\_, 2019.

REAL ESTATE COMMISSION  
STATE OF NEVADA

By: \_\_\_\_\_  
President, Nevada Real Estate Commission

Submitted by:  
AARON FORD, Attorney General

By: \_\_\_\_\_  
Michelle D. Briggs  
Senior Deputy Attorney General  
555 E. Washington Ave. Ste 3900  
Las Vegas, Nevada 89101  
Attorneys for Real Estate Division

By:   
Andrew H. Pastwick, Esq.  
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L.L.C.  
1810 E. Sahara Avenue, Suite 120  
Las Vegas, Nevada 89104  
Attorney for Respondent

1        28. The Commission confirmed with RESPONDENT that he understood and  
2 agreed to the terms presented to the Commission.

3 Dated: June \_\_\_\_, 2019.

4 AMRIT BHANDARI

5 **ORDER APPROVING STIPULATION**

6        The Stipulation for Settlement of Disciplinary Action having come before the Real  
7 Estate Commission, Department of Business and Industry, State of Nevada, during its  
8 regular agenda on June 11, 2019, and the Commission being fully apprised in the premises,  
9 and good cause appearing,


10        IT IS ORDERED that the above Stipulation for Settlement of Disciplinary Action is  
11 approved in full.

12        Dated: <sup>July</sup> ~~June~~ 5, 2019.

14 REAL ESTATE COMMISSION  
15 STATE OF NEVADA

16  
17 By:   
18 President, Nevada Real Estate Commission

19 Submitted by:  
20 AARON FORD, Attorney General

21 By:   
22 Michelle D. Briggs  
23 Senior Deputy Attorney General  
24 555 E. Washington Ave. Ste 3900  
25 Las Vegas, Nevada 89101  
26 Attorneys for Real Estate Division

27 By: \_\_\_\_\_  
28 Andrew H. Pastwick, Esq.  
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