

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

**FILED**

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

Case No. 2017-1962

NOV 21 2019

REAL ESTATE COMMISSION

BY *Emily Patten*

Petitioner,

vs.

CLARISSA GASCON CARO,

Respondent.

**DECISION**

This matter came on for hearing before the Nevada Real Estate Commission, State of Nevada ("Commission") on Thursday, November 6, 2019, at the Nevada State Business Center, 3300 W. Sahara Avenue, Las Vegas, Nevada 89102. Respondent Barry M. Ross ("Respondent") failed to appear. Dennis L. Belcourt, Deputy Attorney General, appeared and prosecuted the Complaint on behalf of petitioner Sharath Chandra, Administrator of the Real Estate Division, Department of Business & Industry, State of Nevada ("Division").

On the Commission's finding of proof of sufficient service, and the matter having been submitted for decision based upon the allegations of the Complaint, the Commission now enters its Findings of Fact and Conclusions of Law as follows:

**FINDINGS OF FACT**

1. At all relevant times mentioned in this Complaint, RESPONDENT held a salesperson's real estate license with the State of Nevada, license number S.0073817.
2. At all times mentioned in this Complaint, RESPONDENT was associated with broker Bradford Roberts of TR Realty, B.0143293.LLC.
3. RESPONDENT borrowed \$22,000 from Hix Kabling (Complainant) on February 28, 2017.
4. The stated purpose for her borrowing the money was to pay closing costs for a client on the sale of a property.

1 5. At the time of the loan, RESPONDENT promised to repay Complainant the borrowed  
2 money with interest in four weeks to a month.

3 6. At the time of the loan, RESPONDENT wrote Complainant a check, post-dated to March  
4 27, 2017, in the amount of \$22,235.

5 7. The check written by RESPONDENT was returned for insufficient funds on or about  
6 March 28, 2018.

7 8. RESPONDENT then wrote a replacement check on May 15, 2017 for the same amount  
8 as the earlier check.

9 9. The May 15, 2017, check was returned for insufficient funds on May 18, 2017.

10 10. RESPONDENT admitted in her affidavit that while she had stated to Complainant that  
11 the loan was for client’s closing, in fact that was not true and rather she had borrowed them for her  
12 personal use.

13 **CONCLUSIONS OF LAW**

14 RESPONDENT has committed the following violation of law:

15 1. RESPONDENT violated NRS 645.633(1)(i) or NAC 645.632 by dishonestly representing  
16 the loan or her intent to repay the same.

17 **ORDER**

18 IT IS HEREBY ORDERED that RESPONDENT’s license be revoked and that she pay to the  
19 Division a fine of \$10,000.00 and \$648.72 in investigative costs and attorneys’ fees within ninety (90)  
20 days of the effective date of this Order. If the payment is not actually received by the Division on or  
21 before its due date, it shall be construed as an event of default by RESPONDENT. In the event of default,  
22 the unpaid balance of the administrative fine and costs, together with any attorney’s fees and costs that  
23 may have been assessed, shall be due in full to the Division within ten calendar days of the date of default,  
24 and the Division may obtain a judgment for the amount owed, including collection fees and costs.

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1 The Commission retains jurisdiction to correct any errors that may have occurred in the drafting  
2 or issuance of this Decision.

3 This Order shall become effective on the 21<sup>st</sup> day of December, 2019.

4 DATED this 21<sup>st</sup> day of November, 2019.

5 REAL ESTATE COMMISSION  
6 STATE OF NEVADA

7 By:   
8 President, Nevada Real Estate Commission

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