

BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

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

Case No. 2015-3716

Petitioner,

FILED

vs.

JUN 14 2019

PATRICK SAUTER,

REAL ESTATE COMMISSION
BY *Quincy Fattal*

Respondent.

STIPULATION FOR SETTLEMENT OF DISCIPLINARY ACTION

This Stipulation for Settlement of Disciplinary Action ("Stipulation") is entered into by and between the State of Nevada, Department of Business and Industry, Real Estate Division ("Division"), through its Administrator Sharath Chandra ("Petitioner"), and Patrick Sauter ("RESPONDENT").

JURISDICTION

RESPONDENT held a license as a broker issued by the Division, B.0045077.LLC, and is, therefore, subject to the jurisdiction of the Division and the provisions of NRS Chapter 645 and NAC Chapter 645.

FACTUAL ALLEGATIONS IN COMPLAINT

1. At all times relevant to this complaint, RESPONDENT has had a license as a broker, license number B.0045077.LLC.
2. At all times relevant to this complaint, RESPONDENT was a supervising broker of Arthur Carl Tangora ("Tangora"), a salesperson with license number S.0167677.
3. On February 29, 2016, Tangora's license lapsed because he failed to renew it, and it remained in lapsed status until it was reinstated on November 1, 2016.
4. During the lapse period Tangora engaged in advertising the services of a real estate salesperson without an active license from the Division to perform such activities.

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

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

6 PROPOSED STIPULATION AGREEMENT

7 1. In an effort to avoid the time and expense of litigating these issues before the Commission,
8 the parties desire to compromise and settle the instant controversy upon the following terms and
9 conditions:

10 a. RESPONDENT agrees to pay \$11,000 to the Division within three months of the date
11 of the Commission's order approving this stipulation. The amount includes \$1,000 to
12 cover the Division's investigatory costs and attorneys' fees, with the balance to be
13 fines.

14 b. RESPONDENT agrees that he will complete six hours of continuing education,
15 consisting of six hours in broker management, within three months of the
16 Commission's order approving this stipulation. This continuing education is in
17 addition to renewal requirements.

18 2. RESPONDENT and the Division agree that by entering into this Stipulation, the Division
19 does not concede any defense or mitigation RESPONDENT may assert and that once this Stipulation is
20 approved and fully performed, the Division will close its file in this matter. Nothing herein prevents proof
21 and giving consideration to acts complained of in this matter in determining or penalizing a future
22 violation by RESPONDENT of any provision of NRS Chapter 645 or NAC Chapter 645.

23 3. RESPONDENT agrees and understands that by entering into this Stipulation,
24 RESPONDENT is waiving his right to a hearing at which RESPONDENT may present evidence in his
25 defense, his right to a written decision on the merits of the complaint, his rights to reconsideration and/or
26 rehearing, appeal and/or judicial review, and all other rights which may be accorded by the Nevada
27 Administrative Procedure Act, the Nevada Real Estate Brokers and Salespersons statutes and
28 accompanying regulations, and the federal and state Constitutions. RESPONDENT understands that this

1 Agreement and other documentation may be subject to public records laws. The Commission members
2 who review this matter for approval of this Stipulation may be the same members who ultimately hear,
3 consider, and decide the Complaint if this Stipulation is either not approved by the Commission or is not
4 timely performed by RESPONDENT. RESPONDENT fully understands that he has the right to be
5 represented by legal counsel in this matter at his own expense.

6 4. Each party shall bear its or his own attorney's fees and costs, except as provided above.

7 5. Approval of Stipulation. Once executed, this Stipulation will be filed with the
8 Commission and will be placed on the agenda for approval at its next public meeting. The Division will
9 recommend to the Commission approval of the Stipulation. RESPONDENT agrees that the Commission
10 may approve, reject, or suggest amendments to this Stipulation that must be accepted or rejected by
11 RESPONDENT before any amendment is effective.

12 6. Withdrawal of Stipulation. If the Commission rejects this Stipulation or suggests
13 amendments unacceptable to RESPONDENT, RESPONDENT may withdraw from this Stipulation, and
14 the Division may pursue its Complaint before the Commission. This Stipulation then shall become null
15 and void and unenforceable in any manner against either party.

16 7. Release. In consideration of the execution of this Stipulation, RESPONDENT for himself,
17 his heirs, executors, administrators, successors, and assigns, hereby releases, remises, and forever
18 discharges the State of Nevada, the Department of Business and Industry, and the Division, and each of
19 their respective members, agents, employees, and counsel in their individual and representative
20 capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions,
21 claims, and demands whatsoever, known and unknown, in law or equity, that RESPONDENT ever had,
22 now has, may have, or claim to have against any or all of the persons or entities named in this section,
23 arising out of or by reason of the Division's investigation, this disciplinary action, and all other matters
24 relating thereto.

25 8. Indemnification. RESPONDENT hereby agrees to indemnify and hold harmless the State
26 of Nevada, the Department of Business and Industry, Petitioner, the Division, and each of their respective
27 members, agents, employees, and counsel, in their individual and representative capacities, against any
28 and all claims, suits, and actions brought against said persons and/or entities by reason of the Division's

1 investigation, this disciplinary action, and all other matters relating thereto, and against any and all
2 expenses, damages, and costs, including court costs and attorney fees, which may be sustained by the
3 persons and/or entities named in this section as a result of said claims, suits, and actions.

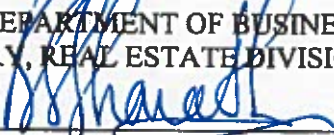
4 9. Default. In the event of default, RESPONDENT agrees that his license shall be
5 immediately suspended, and the unpaid balance of the administrative fine and costs, together with any
6 attorney's fees and costs that may have been assessed, shall be due in full to the Division within ten
7 calendar days of the date of default. Debt collection actions for unpaid monetary assessments in this case
8 may be instituted by the Division or its assignee. RESPONDENT agrees that his license shall be
9 immediately suspended if he fails to timely attend and complete the above continuing education.
10 RESPONDENT agrees that the suspension of his license shall continue until the continuing education is
11 completed.

12 10. RESPONDENT has signed and dated this Stipulation only after reading and
13 understanding all terms herein.

14 DATED this 24th day of May, 2019

DATED this 28 day of May, 2019.

15
16
17 By: 
18 PATRICK SAUTER

NEVADA DEPARTMENT OF BUSINESS
& INDUSTRY, REAL ESTATE DIVISION
By: 
19 SHARATH CHANDRA
Administrator

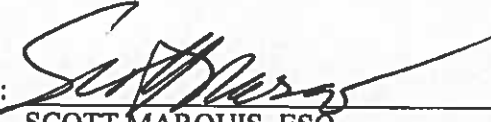
20 Approved as to form:

Approved as to form:

21 AARON D. FORD
22 Attorney General

MARQUIS, AUERBACH & COFFING

23
24 By: _____
25 DENNIS L. BELCOURT
26 Deputy Attorney General
27 555 E. Washington Avenue, Suite 3900
28 Las Vegas, NV 89101

By: 
SCOTT MARQUIS, ESQ.
10001 Park Run Drive
Las Vegas, NV 89145
Attorney for Respondent

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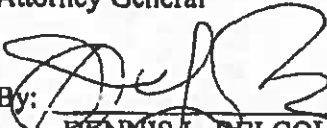
NEVADA DEPARTMENT OF BUSINESS
& INDUSTRY, REAL ESTATE DIVISION
19
20 By: _____
21 SHARATH CHANDRA
22 Administrator

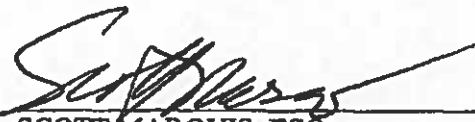
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555 E. Washington Avenue, Suite 3900
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SCOTT MARQUIS, ESQ.
10001 Park Run Drive
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Attorney for Respondent

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9 Respondent.

10
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 June
14 11, 2019, and the Commission being fully apprised of terms and good cause appearing,

15 IT IS ORDERED that the Stipulation for Settlement of Disciplinary Action in this matter is
16 approved in full.

17 This Order shall become effective on the 14th day of July, 2019.

18
19 Dated this 14th day of June, 2019.

20 NEVADA REAL ESTATE COMMISSION

21
22 By: 

23 [Print Name]

Lee K. Barrett

Commission President