

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Case No. 2018-12

FILED

MAY 09 2019

REAL ESTATE COMMISSION
BY *[Signature]*

Petitioner,

vs.

DAVID EVAN COOPER,

Respondent.

COMPLAINT AND NOTICE OF HEARING

The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA ("Division"), by and through its counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Dennis L. Belcourt, Deputy Attorney General, hereby notifies RESPONDENT DAVID EVAN COOPER ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION. The hearing will be held pursuant to Chapters 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, NRS 645.630 and NRS 622.400, and the discipline to be imposed, if violations of law are proven.

JURISDICTION

In conducting activities alleged herein, 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 chapter 645 and NAC chapter 645.

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1 **FACTUAL ALLEGATIONS**

2 1. At all times relevant to this Complaint, RESPONDENT has not been licensed by the
3 Division as a Real Estate Broker, Real Estate Broker-Salesperson, or a Real Estate Salesperson.

4 2. RESPONDENT is licensed by the State of California, Bureau of Real Estate, license no.
5 317786.

6 3. RESPONDENT, through use of the internet, has advertised the sale of more than sixty-four
7 (64) homes in the State of Nevada.

8 4. The Division has sent RESPONDENT letters bringing to his attention the need for him to
9 have a license to advertise Nevada real property.

10 5. On January 8, 2018, the Division sent RESPONDENT a cease and desist order, directing
11 him to stop activity for which a Nevada real estate license is required.

12 6. RESPONDENT has not responded to the Division's letters or cease and desist order.

13 **VIOLATION**

14 7. RESPONDENT violated NRS 645.235 sixty-four (64) times by knowingly engaging or
15 offering to engage in any activity for which a license, permit, certificate or registration or any type of
16 authorization is required pursuant to NRS chapter 645, or any regulation adopted pursuant thereto,
17 without the required license, permit certificate or registration or authorization.

18 **DISCIPLINE AUTHORIZED**

19 8. Pursuant to NRS 645.235, the Commission is empowered to impose on RESPONDENT
20 an administrative fine of up to the amount of any gain or economic benefit that the person derived from
21 the violation or \$5,000, whichever amount is greater.

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.

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1 you. You have the right to respond and to present relevant evidence and argument on all issues involved.
2 You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing
3 witnesses on any matter relevant to the issues involved.

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


8 The purpose of the hearing is to determine if the Respondent has violated NRS 645 or NAC 645
9 and if the allegations contained herein are substantially proven by the evidence presented and to further
10 determine what administrative penalty, if any, is to be assessed against the Respondent, pursuant to NRS
11 645.633 or 645.630.

12 DATED this 9 day of May, 2019.

13 State of Nevada
14 Department of Business and Industry
15 Real Estate Division

16 By: 
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22 By: 
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