

1 BEFORE THE REAL ESTATE COMMISSION
2 STATE OF NEVADA

3 SHARATH CHANDRA, Administrator,
4 REAL ESTATE DIVISION, DEPARTMENT
5 OF BUSINESS & INDUSTRY,
6 STATE OF NEVADA,

7 Petitioner,

8 vs.

9 HILLARY BROWN,

10 Respondent.

Case No. 2018-1087

FILED

JUL 17 2020

REAL ESTATE COMMISSION

BY *[Signature]*

11 **DECISION**

12 This matter came on for hearing before the Nevada Real Estate Commission, State of Nevada
13 (“Commission”) on Wednesday, June 17, 2020, on-line via Webex platform, with telephonic access.
14 Respondent Hillary Brown (“RESPONDENT”) failed to call in to the meeting. Dennis L. Belcourt,
15 Deputy Attorney General, appeared and prosecuted the Complaint on behalf of Petitioner Sharath
16 Chandra, Administrator of the Real Estate Division, Department of Business & Industry, State of Nevada
17 (“Division”).

18 The Commission having heard testimony that RESPONDENT was given due notice, and the
19 RESPONDENT having failed to appear, the Commission now enters its Findings of Fact and Conclusions
20 of Law as follows:

21 **FINDINGS OF FACT**

22 In conducting activities alleged herein, by bringing together sellers and buyers of real estate,
23 RESPONDENT engaged in activities which require a license as a real estate broker, real estate broker-
24 salesperson, or real estate salesperson, issued by the Division and is, therefore, subject to the jurisdiction
25 of the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 645.

26 1. At all times relevant to this Complaint, RESPONDENT has not been licensed by the Division
27 as a Real Estate Broker, Real Estate Broker-Salesperson, or a Real Estate Salesperson in the State of
28 Nevada.

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1 2. RESPONDENT is licensed as a real estate salesperson by the State of California Department
2 of Real Estate.

3 3. On or about August 1, 2018, RESPONDENT entered into a listing agreement with Harvard
4 Oxford, LLC, for the period August 1, 2018 through August 31, 2018, seller and owner of undeveloped
5 parcel of land in Spring Valley, Las Vegas, Nevada 89117 (“the Reena Estates parcel”).

6 4. Concurrently, RESPONDENT executed on behalf of her broker other documents related to
7 the sale of the Reena Estates Parcel, including a purchase agreement whereby the buyer was to pay
8 \$2,120,000.00 as a purchase price.

9 5. Under the above listing agreement, RESPONDENT’s broker, Homesmart Realty West (a
10 fictitious name designation for Real Acquisition, Inc., a licensee of the State of California Division of
11 Real Estate) was to receive a 6.00 percent commission of the listing price (or if an agreement is entered
12 into, of the contract price).

13 6. On August 17, 2018, the Division issued a Cease and Desist for Case No. 2018-1087.

14 **CONCLUSIONS OF LAW**

15 7. RESPONDENT violated NRS 645.230(1) and NRS 645.235(1)(a) by acting as a real
16 estate broker or salesperson in the State of Nevada without a license issued by the Division.

17 **ORDER**

18 IT IS HEREBY ORDERED that RESPONDENT shall pay to the Division a fine of \$100,000, as
19 estimate compensation on the transaction, and \$835.70 in investigative costs and attorneys’ fees to be
20 paid in its entirety within sixty (60) days of the effective date of this Order. If payment is not actually
21 received by the Division on or before its due date, it shall be a default by RESPONDENT. In the event
22 of default, the unpaid balance of the administrative fine and costs, together with any attorney’s fees and
23 costs that may have been assessed, shall be due in full to the Division within ten calendar days of the date
24 of default, and the Division may obtain a judgment for the amount owed, including collection fees and
25 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 16th day of August, 2020.

4 DATED this 17th day of ~~June~~ July, 2020.

5 REAL ESTATE COMMISSION
6 STATE OF NEVADA

7 By: 
8 President, Nevada Real Estate Commission