

BEFORE THE REAL ESTATE COMMISSION

FILED

STATE OF NEVADA

JAN 13 2021

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

Case Nos.: 2018-819

REAL ESTATE COMMISSION

BY *Evelyn Pattee*

Petitioner,

vs.

ROBERT GOLDSMITH,

Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW, FINAL DECISION, AND ORDER

This matter came before the REAL ESTATE COMMISSION, DEPARTMENT OF BUSINESS AND INDUSTRY, STATE OF NEVADA (the "Commission"), during a regular agenda, set for three days, beginning on December 7, 2020 via Webex (with telephone access) with no physical public location (as permitted by the Governor's Declaration of Emergency, as amended)(the "Hearing"). by and through its counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Robert E. Werbicky, Deputy Attorney General,

RESPONDENT ROBERT GOLDSMITH ("RESPONDENT") did not appear in person, through counsel, or otherwise. Robert E. Werbicky, Deputy Attorney General with the Office of the Attorney General for the State of Nevada, appeared on behalf of the Real Estate Division of the Department of Business and Industry, State of Nevada (the "Division").

RESPONDENT did not file an answer or otherwise appear. This matter was originally scheduled for hearing before the Commission in September 2020, but RESPONDENT requested and received a continuance of that hearing on the condition RESPONDENT provide current contact information with the Division.

Evelyn Pattee testified the Division sent notice to the RESPONDENT at the address provided by RESPONDENT. The Commission found appropriate service of the Hearing, the Complaint, the Notice of Complaint, and Notice of Documents was made upon the RESPONDENT and RESPONDENT received notice of the Hearing.

1 The Commission, by unanimous vote owing to the default by RESPONDENT and for good
2 cause appearing, makes the following findings of fact and conclusions of law:

3 **FINDINGS OF FACT**

4 1. RESPONDENT has been licensed by the Division as a Salesperson, S.0075862, since
5 March 2, 2007 and that license is currently in expired status.

6 2. At times relevant to the allegations, the supervising broker was David Tina of Urban Nest
7 Realty LLC, B.0047338.LLC.

8 3. On February 24, 2016 a complaint was filed in the Eighth Judicial District of the State of
9 Nevada against, among others, Robert Goldsmith and Jeff Goldsmith as Case No. A-16-732369-C (the
10 "Case").

11 4. Robert Goldsmith and Jeff Goldsmith are brothers.

12 5. On February 24, 2016 a lis pendens was filed against 7848 Trophy Run with APN 163-
13 28-721-016 (the "Property") in the Case.

14 6. On March 1, 2016 the lis pendens was recorded against the Property with the Clark County
15 recorder's office as Instrument Number 201603010001374.

16 7. On April 11, 2016 Robert Goldsmith answered the complaint and filed a counterclaim in
17 the Case.

18 8. Robert Goldsmith either knew or should have known of the lis pendens filed and recorded
19 against the Property.

20 9. On November 1, 2016 Jeff Goldsmith signed an exclusive brokerage agreement for the
21 sale of the Property with Urban Nest Realty with Robert D Goldsmith signing the agreement.

22 10. On October 23, 2017 Robert Goldsmith received an offer to purchase the Property from
23 Dwight White.

24 11. On October 28, 2017 a counter-offer regarding the Property was transmitted to Dwight
25 White through his agent which was accepted.

26 12. Robert Goldsmith did not disclose his relationship to Jeff Goldsmith to Dwight White or
27 his agent.

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1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that RESPONDENT'S
2 Salesperson license, #S.0075862, is hereby REVOKED, effective as of the date of this Final Decision.

3 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that if payment is not actually
4 received by the Division on or before its due date, it shall be a default by RESPONDENT.

5 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in the event of default, the
6 unpaid balance of the administrative fine and costs, together with any attorney's fees and costs that may
7 have been assessed, shall be due in full to the Division within ten calendar days of the date of default,
8 and the Division may obtain a judgment for the amount owed, including collection fees and costs.

9 IT IS FURTHER ORDERED, ADJUDGED AND DECREED the Commission retains
10 jurisdiction for correcting any errors that may have occurred in the drafting and issuance of this document.

11 DATED this 13th day of January, 2021.

12 REAL ESTATE COMMISSION
13 STATE OF NEVADA

14 By: 
15 President, Nevada Real Estate Commission

16 Submitted by:

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18 AARON D. FORD
19 Attorney General

20 By: /s / Robert E. Werbicky
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