

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

Case No. 2018-1714

Petitioner,

STIPULATION FOR SETTLEMENT OF

vs.

DISCIPLINARY COMPLAINT

SHERINE KUCKHOFF,

Respondent.

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 Sherine Kuckhoff ("RESPONDENT").

JURISDICTION

RESPONDENT was at all relevant times mentioned in this Complaint, licensed as a real estate broker salesperson under License Number BS.0005345, and is therefore subject to the jurisdiction of the Division and the provisions of NRS Chapter 645 and NAC Chapter 645.

PROCEDURAL HISTORY

1. On or about December 11, 2018, the Division received an email from the RESPONDENT indicating that she had recently lost her property management permit and that she had neglected to renew it.

2. On or about December 11, 2018, the Division responded to the RESPONDENT and informed her that her property management permit had expired on January 31, 2013.

3. On or about December 18, 2018, the RESPONDENT met with the Division's investigator and explained that she had acted in the capacity of a property manager since February of 2013, while being unaware her property management's permit had expired.

1 4. On or about December 18, 2018, the Division sent an investigation opening-
2 letter to the RESPONDENT and required her to provide a sworn statement explaining her
3 failure to timely renew her property management permit.

4 5. On or about December 18, 2018, the Division sent an investigation opening-
5 letter to Ronald B. Stichter (“Stichter”) BS.0032575.MGR, the RESPONDENT’s broker-
6 salesperson manager at Coldwell Banker Select Real Estate of Nevada Inc., requiring him
7 to provide a sworn statement explaining how the RESPONDENT, while under his
8 supervision, was allowed to act in the capacity of a property manager without a valid
9 property manager’s permit.

10 6. On or about December 18, 2018, the Division sent an investigation opening-
11 letter to the RESPONDENT’s broker of record, Ron L. Hoy (“Hoy”), B.0017991.CORP
12 requiring him to provide a sworn statement explaining how the RESPONDENT, while
13 under his supervision, was allowed to act in the capacity of a property manager without a
14 valid property manager’s permit.

15 7. On or about December 29, 2018, the Division received the RESPONDENT’s
16 sworn affidavit.

17 8. On or about December 28, 2018, the Division received Stichter’s sworn
18 affidavit.

19 9. On or about January 2, 2019, the Division received Hoy’s sworn affidavit.

20 10. On or about May 28, 2019, the Division sent RESPONDENT an NRS 233B
21 letter indicating that the Division’s investigation had obtained sufficient evidence to
22 commence disciplinary action by filing a complaint with the Nevada Real Estate
23 Commission (“Commission”).

24 11. On or about May 28, 2019, the Division sent Stichter an NRS 233B letter
25 indicating that the Division’s investigation had obtained sufficient evidence to commence
26 disciplinary action by filing a complaint with the Nevada Real Estate Commission
27 (“Commission”).
28

1 12. On or about May 28, 2019, the Division sent Hoy an NRS 233B letter
2 indicating that the Division's investigation had obtained sufficient evidence to commence
3 disciplinary action by filing a complaint with the Nevada Real Estate Commission
4 ("Commission").

5 13. On July 29, 2020, the Division filed a Complaint and Notice of Hearing with
6 the Commission, which was served upon the Respondent.

7 **FACTUAL ALLEGATIONS**

8 1. At all times relevant, RESPONDENT held a real estate broker-salesperson
9 license, BS.0005345.

10 2. RESPONDENT's property management permit, PM.0163303.DES, which
11 issued in March of 2008, expired on January 31, 2013.

12 3. At all times relevant, Stichter held a broker salesperson's license,
13 BS.0032575.MGR, which the Division issued on July 13, 1994.

14 4. Stichter affiliated with Coldwell Banker Select Real Estate as Incline Village
15 branch office as the managing broker-salesperson on January 7, 2014, and was responsible
16 for managing RESPONDENT.

17 5. At all times relevant, Hoy held a broker's license, B.0017991.CORP, which the
18 Division issued on November 17, 1986.

19 6. Hoy has held a broker's license since 1983.

20 7. Hoy affiliated with Coldwell Banker Select Real Estate as its corporate broker
21 on July 20, 2004, and was responsible for managing RESPONDENT.

22 8. On or about January 31, 2013, RESPONDENT's broker-salesperson license
23 and property management permit expired and were due for renewal.

24 9. RESPONDENT properly renewed her property management permit at least
25 once between 2008 and 2013.

26 10. On or about February 20, 2013, the RESPONDENT submitted her renewal
27 application for her broker-salesperson license, along with a late fee.

1 11. RESPONDENT's February 20, 2013, renewal application did not include her
2 property management permit number or the renewal fee for the property manager's permit.

3 12. Between January 10, 2013, and February 20, 2013, there were attempts made
4 by RESPONDENT to submit her broker-salesperson renewal application, which were
5 rejected; however, none of those applications included her property management permit.

6 13. On February 21, 2013, the Division sent RESPONDENT a Deficient
7 Transaction notification, which required RESPONDENT to submit form 544 with original
8 signatures to complete her broker-salesperson, BS.0005345 license reinstatement.

9 14. On January 23, 2017, the Division received RESPONDENT's continuing
10 education certificates and renewal fee for her broker-salesperson license, BS.0005345.

11 15. On or about January 23, 2017, the Division sent RESPONDENT a Deficient
12 Transaction notification, which required RESPONDENT to submit proof of 3 hours of
13 Broker Management and to complete and submit Division form 580 to complete the renewal
14 of her broker-salesperson, BS.0005345 license.

15 16. On or about December 11, 2018, the Division received an email from the
16 RESPONDENT indicating that she had recently lost her property management permit and
17 that she had neglected to renew it.

18 17. On or about December 11, 2018, the Division notified RESPONDENT that she
19 would not be allowed to renew her property manager's permit and would be required to
20 submit a new application for a property manager's permit as required by NRS 645.785.

21 18. RESPONDENT conducted property management activities from February 1,
22 2013, through at least December 18, 2018, without a property management permit.

23 19. On or about December 31, 2018, the RESPONDENT provided the Division a
24 written statement indicating she earned a net income of \$568,770.64, with expenses of
25 \$34,561.95, for her property management during the period January 1, 2013 through
26 December 31, 2018.

1 3. Additionally, under NRS 622.400, the Commission is authorized to impose
2 costs of the proceeding upon RESPONDENT, including investigative costs and attorney's
3 fees, if the Commission otherwise imposes discipline on RESPONDENT.

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

6 **STIPULATED AGREEMENT**

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

10 a. RESPONDENT admits to the facts as stated above. RESPONDENT does not
11 admit to the above violations.

12 b. RESPONDENT agrees to pay \$10,000.00 plus \$2,132.32 in administrative
13 costs, for a total of \$12,132.32. RESPONDENT agrees to pay the total balance
14 within 90 days of the date of the Commission's Order approving this
15 stipulation.

16 2. If the total payment is not received by the Division, on or before the expiration
17 of the 90 days, it shall be construed as an event of default by RESPONDENT.

18 3. In the event of default, RESPONDENT agrees that any license(s) and any
19 permit(s) held by Respondent shall be immediately suspended; the Division may rescind
20 this Stipulation and proceed with prosecuting the Complaint before the Commission. In
21 that case, the Stipulation shall be null and void.

22 4. The Division agrees not to pursue any other or greater remedies or fines in
23 connection with RESPONDENT's alleged conduct referenced herein. The Division further
24 agrees that unless RESPONDENT fails to make timely payment, the Division will not
25 bring any claim or cause directly or indirectly based upon any of the facts, circumstances,
26 or allegations discovered during the Division's investigation and prosecution of this case.

27 5. RESPONDENT agrees and understands that by entering into this
28 Stipulation, RESPONDENT is waiving her right to a hearing at which RESPONDENT

1 may present evidence in defense, waiving her right to a written decision on the merits of
2 the complaint, waiving her rights to reconsideration and/or rehearing, appeal and/or
3 judicial review, and all other rights which may be accorded by the Nevada Administrative
4 Procedure Act, the Nevada Real Estate Brokers and Salespersons statutes and
5 accompanying regulations, and the federal and state Constitutions. RESPONDENT
6 understands that this Agreement and other documentation may be subject to public records
7 laws. The Commission members who review this matter for approval of this Stipulation
8 may be the same members, who ultimately hear, consider, and decide the Complaint if this
9 Stipulation is either not approved by the Commission or is not timely performed by
10 RESPONDENT. RESPONDENT fully understands that she has the right to be
11 represented by legal counsel in this matter at her own expense.

12 6. Each party shall bear its own attorney's fees and costs.

13 7. Approval of Stipulation. This Stipulation is subject to approval by the
14 Commission at a public meeting.

15 8. **Release.** In consideration of the execution of this Stipulation, the Division
16 and the RESPONDENT, for themselves, their heirs, executors, administrators, successors,
17 employees, officers and assigns, hereby release, remise, and forever discharge each other,
18 and each of their respective members, agents, employees, and counsel in their individual
19 and representative capacities, from any and all manner of actions, causes of action, suits,
20 debts, judgments, executions, claims, and demands whatsoever, known and unknown, in
21 law or equity, that the Division or RESPONDENT ever had, now has, may have, or claim
22 to have against any or all of the persons or entities named in this section, arising out of,
23 relating to the facts and circumstances of the Division's investigation, this disciplinary
24 action, and all other matters relating thereto.

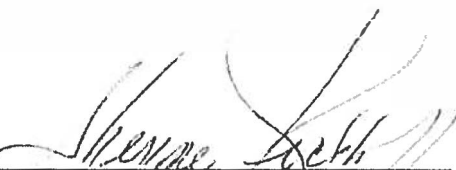
25 9. **Indemnification.** RESPONDENT hereby indemnifies and holds harmless
26 the State of Nevada, the Department of Business and Industry, the Division, and each of
27 their respective members, agents, employees, and counsel, in their individual and
28 representative capacities, against any and all claims, suits, and actions brought against


1 9. **Indemnification.** RESPONDENT hereby indemnifies and holds harmless
2 the State of Nevada, the Department of Business and Industry, the Division, and each of
3 their respective members, agents, employees, and counsel, in their individual and
4 representative capacities, against any and all claims, suits, and actions brought against
5 said persons and/or entities by reason of the Division's investigation, this disciplinary
6 action, and all other matters relating thereto, and against any and all expenses, damages,
7 and costs, including court costs and attorney fees, which may be sustained by the persons
8 and/or entities named in this section as a result of said claims, suits, and actions.

9 The parties have signed and dated this Stipulation only after reading and
10 understanding all terms herein.

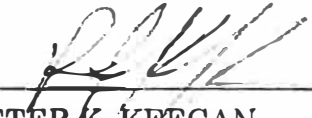
11 DATED this 26 day of August 2020.

DATED this 27 day of August 2020.

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13
14
15 By: 
16 SHERINE KUCKHOFF
Respondent

NEVADA DEPARTMENT OF BUSINESS
& INDUSTRY, REAL ESTATE DIVISION
17
18
19 By: 
20 SHARATH CHANDRA
Administrator

21 Approved as to form:
22 AARON D. FORD
23 Attorney General

24
25
26 By: 
27 PETER K. KEEGAN
28 Deputy Attorney General
Attorney for the Real Estate Division

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

SHARATH CHANDRA, Administrator,
REAL ESTATE DIVISION,
DEPARTMENT
OF BUSINESS & INDUSTRY,
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vs.

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ORDER APPROVING STIPULATION

The Stipulation for Settlement of Disciplinary Action having come before the Real Estate Commission, Department of Business and Industry, State of Nevada, during its regular agenda on September 1, 2020, and the Commission being fully apprised of terms and good cause appearing,

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

This Order shall become effective on the 1st day of September 2020.

NEVADA REAL ESTATE COMMISSION

By: 

[Print Name] Devin Reiss

Commission President