1	BEFORE THE REAL ESTATE COMMISSION				
2	STATE OF NEVADA F11 日日日				
3	SHARATH CHANDRA, Administrator,		SEP 1 1 2020		
4	REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS & INDUSTRY,	Case No. 2018-1305	REAL ESTATE COMMISSION		
5	STATE OF NEVADA,		, part of the second seco		
6	Petitioner,	STIPULATION AND FOR SETTLEMENT	ORDER		
7	vs.				
8	ARLANDUS RENE WHITE,				
9	Respondent.				
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This Stipulation and Order for Settlement ("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"), by and through their attorney of record, Karissa D. Neff,
Deputy Attorney General, and Arlandus Rene White ("RESPONDENT").

RESPONDENT at all relevant times mentioned in this Complaint was licensed as a real estate salesperson by the Division. He 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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SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT

19 1. RESPONDENT has been and as of the date of this complaint is currently licensed by the
 20 Division as a real estate salesperson, S.0168757. His broker of record at the time of the violations alleged
 21 herein was Michelle De Bord-Ridge, B.1001955.LLC, Carrington Real Estate Services LLC.

Complainant Stephanie O'Rourke of Huntington Beach, California ("Complainant") and
 her sister, Julie Colbert ("Colbert"), were, at all times relevant herein, co-owners as shown on the Clark
 County Assessor's website of real property in Henderson Nevada, assessor's parcel number 179-04-304 001 (the Parcel).

3. On or about May 23, 2017, Complainant received an e-mail invitation to sign a listing
agreement with RESPONDENT to sell the Parcel.

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1 4. On or about May 26, 2017, Complainant responded to the above invitation by stating that 2 she was "declining to sign at this time." 3 5. On one or more occasions, RESPONDENT and Colbert entered into a listing agreement 4 for the Parcel without Complainant's consent. 5 6. On one or more occasions, RESPONDENT listed said parcel on Greater Las Vegas 6 Association of Realtor's multiple listing service or otherwise marketed the parcel without Complainant's 7 consent. 8 7. RESPONDENT knew or had reason to know of Complainant's ownership interest in the 9 Parcel when entering into listing agreements with Colbert or marketing the property. 8. 10 On or about November 14, 2018, the Division sent to RESPONDENT via certified mail, 11 return receipt requested, a Notice of Violation with Imposition of Administrative Fine ("Notice"), with a 12 fine amount of \$1,500 and payment due date of December 14, 2018, which Notice stated that Respondent 13 was found to have violated NRS 645.633(1)(i) and/or NAC 645.605(1) and NRS 645.635(1). 14 9. RESPONDENT appealed the DIVISION'S Notice on or about December 10, 2018, and 15 the DIVISION denied the appeal on December 14, 2018. 16 10. Despite being given extensions of time to pay the fine, RESPONDENT has failed to make 17 any payments. VIOLATIONS 18 19 RESPONDENT has committed the following violations of law: 20 RESPONDENT violated NRS 645.633(1)(i) pursuant to NAC 645.605(1) and NRS 11. 21 645.635(1), by offering the Parcel for sale without the knowledge and consent of Complainant. 22 **DISCIPLINE AUTHORIZED** 23 12. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to impose an 24 administrative fine of up to \$10,000 per violation against RESPONDENT and further to suspend, revoke 25 or place conditions on the license of RESPONDENT. 26 Additionally, under NRS Chapter 622, the Commission is authorized to impose costs of 13. 27 the proceeding upon RESPONDENT, including investigative costs and attorney's fees, if the 28 Commission otherwise imposes discipline on RESPONDENT.

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

PROPOSED SETTLEMENT

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

1. RESPONDENT agrees to pay the Division a total amount of \$2,270.90 ("Amount Due"), consisting of a fine of \$1,500.00 to the Division and \$770.90 to the Division for its pre-hearing costs and attorneys' fees.

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2. The Amount Due shall be payable to the Division within 30 days of the entry of the Order
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approving this Settlement.

3. RESPONDENT shall also complete 3 hours of continuing education in agency and 3 hours of
 continuing education in contracts. Completion of this education shall not count towards the education
 needed for RESPONDENT's license renewal and shall be completed within 180 days of the entry of the
 Order approving this Settlement.

4. RESPONDENT and the Division agree that by entering into this Stipulation, the Division does
not concede any defense or mitigation RESPONDENT may assert and that once this Stipulation is
approved and fully performed, the Division will close its file in this matter.

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5. RESPONDENT agrees and understands that by entering into this Stipulation,

19 RESPONDENT is waiving his right to a hearing at which RESPONDENT may present evidence in his 20 defense, his right to a written decision on the merits of the complaint, his rights to reconsideration and/or 21 rehearing, appeal and/or judicial review, and all other rights which may be accorded by the Nevada 22 Administrative Procedure Act, the Nevada Real Estate Brokers and Salespersons statutes and 23 accompanying regulations, and the federal and state Constitutions. RESPONDENT understands that this 24 Agreement and other documentation may be subject to public records laws. The Commission members 25 who review this matter for approval of this Stipulation may be the same members who ultimately hear, 26 consider, and decide the Complaint if this Stipulation is either not approved by the Commission or is not 27 timely performed by RESPONDENT. RESPONDENT fully understands that he has the right to be 28 represented by legal counsel in this matter at his own expense.

6. Each party shall bear their own attorney's fees and costs, except as provided above.

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

8. <u>Withdrawal of Stipulation</u>. If the Commission rejects this Stipulation or suggests
amendments unacceptable to RESPONDENT, RESPONDENT may withdraw from this Stipulation, and
the Division may pursue its Complaint before the Commission. This Stipulation then shall become null
and void and unenforceable in any manner against either party.

11 9. Release. In consideration of the execution of this Stipulation, RESPONDENT for 12 himself, his heirs, executors, administrators, successors, and assigns, hereby releases, remises, and 13 forever discharges the State of Nevada, the Department of Business and Industry, and the Division, and 14 each of their respective members, agents, employees, and counsel in their individual and representative 15 capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, 16 claims, and demands whatsoever, known and unknown, in law or equity, that RESPONDENT ever had, 17 now has, may have, or claim to have against any or all of the persons or entities named in this section, 18 arising out of or by reason of the Division's investigation, this disciplinary action, and all other matters 19 relating thereto.

10. <u>Indemnification</u>. RESPONDENT hereby agrees to indemnify and hold harmless the
State of Nevada, the Department of Business and Industry, Petitioner, the Division, and each of their
respective members, agents, employees, and counsel, in their individual and representative capacities,
against any and all claims, suits, and actions brought against said persons and/or entities by reason of the
Division's investigation, this disciplinary action, and all other matters relating thereto, and against any
and all expenses, damages, and costs, including court costs and attorney fees, which may be sustained by
the persons and/or entities named in this section as a result of said claims, suits, and actions.

27 <u>11. Default.</u> In the event of default, RESPONDENT agrees that his license shall be immediately
 28 suspended, and the unpaid balance of the administrative fine and costs, together with any attorney's fees

and costs that may have been assessed, shall be due in full to the Division within ten calendar days of the 1 date of default. Debt collection actions for unpaid monetary assessments in this case may be instituted 2 by the Division or its assignee. RESPONDENT agrees that his license shall be immediately suspended 3 if he fails to timely attend and complete the above continuing education. RESPONDENT agrees that the 4 suspension of his license shall continue until the continuing education is completed. 5 6 12, RESPONDEN I has signed and dated this Stipulation only after reading and understanding 7 all terrors herein. 1 3. DATED this 22 day of August, 2020. DATED this day of August, 2020. 8 9 NEVADA DEP NESS OF BI 10 & ENDUSTRY ISTATE D 11 12 By. By ARLANDUS RENE WHITE SHARAT 13 Administrator 14 Approved as to form: 15 10 AARON D. FORD 17 Attorney General 1 18 135. kanssa D. Neff (Bar. No. 9733) 19 Deputy Attorney General 535 F. Washington Avenue, Suite 5900 20 Las Vegas, NV 89101 21 Attomeys for Real Estate Division 22 11 25 26 27 28Page 5 of 5

1	BEFORE THE REAL ESTATE COMMISSION			
2	STATE OF NEVADA			
3	SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS & INDUSTRY, Case No. 2018-1305			
5	STATE OF NEVADA,			
6	Petitioner,			
7	vs.			
8	ARLANDUS RENE WHITE,			
° 9	Respondent.			
10	ORDER APPROVING STIPULATION AND ORDER			
11	FOR SETTLEMENT OF DISCIPLINARY ACTION			
12	That certain Stipulation and Order for Settlement of Disciplinary Action in this action, having			
13	come before the Real Estate Commission, Department of Business and Industry, State of Nevada, during			
14	its regular agenda commencing on September 1, 2020, and the Commission being fully apprised in the			
15	premises, and good cause appearing,			
16	IT IS SO ORDERED that the Stipulation and Order for Settlement of Disciplinary Action in this			
17	matter, entered into by Petitioner and Respondent, is approved in full.			
18	Dated: September , 2020.			
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20	REAL ESTATE COMMISSION STATE OF NEVADA			
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22	By: Company			
23	President, Nevada, eal Estate Commission			
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27	Submitted by:			
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AARON FORD, Attorney General

By: /s/Karissa Neff

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4	Karissa D. Neff	
5	Deputy Attorney General 555 E. Washington Ave. Ste 3900 Las Vegas, Nevada 89101 Attorneys for Real Estate Division	
6	Attorneys for Real Estate Division	
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