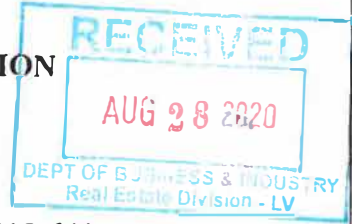


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BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA



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

Petitioner

vs.

KATHRYN L. MINER,

Respondent

CASE NO.: 2019-641

RESPONDENT'S ANSWER TO ORIGINAL COMPLAINT

COMES NOW KATHRYN L. MINER, Respondent in the above referenced matter, by and through her attorney, BRET WHIPPLE of the Justice Law Center, and hereby submits this Answer to the Complaint on file herein, and alleges as follows:

1. Answering Factual Allegation 1 of Petitioner's Complaint, Respondent ADMITS each and every allegation contained therein.
2. Answering Factual Allegation 2 of Petitioner's Complaint, Respondent DENIES that she has been a licensee since 1981; she has been a licensee since 1972.
3. Answering Factual Allegation of Petitioner's Complaint, Respondent ADMITS that sellers signed an Exclusive Right to Sell Contract with Trans-Action Realty 500, but does not have sufficient knowledge or information to form a belief as to the truth of remainder of the allegation, and therefore Respondent DENIES the remainder of the allegation
4. Answering Factual Allegation 4 of Petitioner's Complaint, Respondent ADMITS that the Property was input into the Northern Nevada Regional Multiple Listing Service, but has

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no knowledge as to the exact date this was done, and therefore denies that portion of the allegation.

5. Answering Factual Allegation 5 of Petitioner's Complaint, Respondent ADMITS that the sellers signed a Residential Offer and Acceptance Agreement in the amount of \$80,000, but has no knowledge as to the exact date this was done, and therefore denies that portion of the allegation.
6. Answering Factual Allegation 6 of Petitioner's Complaint, Respondent ADMITS each and every allegation contained therein.
7. Answering Factual Allegation 7 of Petitioner's Complaint, Respondent ADMITS each and every allegation contained therein.
8. Answering Factual Allegation 8 of Petitioner's Complaint, Respondent cannot swear to the contents of Linda Hartman's affidavit, but admits that there was no expiration date on the contract.
9. Answering Factual Allegation 9 of Petitioner's Complaint, Respondent DENIES each and every allegation contained therein.
10. Answering Factual Allegation 10 of Petitioner's Complaint, Respondent does not have any first-hand knowledge with regard to Ms. Hartman's sworn affidavit, but does admit that Ms. Hartman pulled the property up on the MLS and told the client that the offer would need to be a backup offer.
11. Answering Factual Allegation 11 of Petitioner's Complaint, Respondent ADMITS each and every allegation contained therein.

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12. Answering Factual Allegation 12 of Petitioner’s Complaint, Respondent ADMITS that the Hartman’s client stated that “we were not aware the property was listed until I met with [the sellers] that night to give them the offer,” but Respondent was not aware that the property was already listed until the following day.
13. Answering Factual Allegation 13 of Petitioner’s Complaint, Respondent DENIES that the Offer and Acceptance Agreement misstates anything, as the Agreement was dictated by Mr. Stempeck; Respondent and Ms. Hartman relied on the knowledge of Mr. Stempeck.
14. Answering Factual Allegation 14 of Petitioner’s Complaint, Respondent does not have sufficient information to either admit or deny the allegation.
15. Answering Factual Allegation 15 of Petitioner’s Complaint, Respondent ADMITS each and every allegation contained therein.
16. Answering Factual Allegation 16 of Petitioner’s Complaint, Respondent ADMITS each and every allegation contained therein.
17. Answering Factual Allegation 17 of Petitioner’s Complaint, Respondent ADMITS to the information she put in her sworn affidavit, but only to the extent that the information is what was told to her, and that she did not know of the truthfulness of the information obtained, and therefore DENIES that she attested incorrectly.
18. Answering Factual Allegation 18 of Petitioner’s Complaint, Respondent ADMITS each and every allegation contained therein.
19. Answering Factual Allegation 19 of Petitioner’s Complaint, Respondent does not have personal knowledge as to the truth of the allegation, but believes that it is true.

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20. Answering Factual Allegation 20 of Petitioner's Complaint, Respondent ADMITS each and every allegation contained therein.

21. Answering Factual Allegation 21 of Petitioner's Complaint, Respondent ADMITS each and every allegation contained therein.

22. Answering Factual Allegation 22 of Petitioner's Complaint, Respondent ADMITS each and every allegation contained therein.

23. Answering Factual Allegation 23 of Petitioner's Complaint, Respondent ADMITS each and every allegation contained therein.

24. Answering Factual Allegation 24 of Petitioner's Complaint, Respondent ADMITS that Hartman prepared Escrow and Cancellation Instructions and Addendum to Western Title Company for the first offer upon being asked to do so because the listing agent was out of the country.

25. Answering Factual Allegation 25 of Petitioner's Complaint, Respondent ADMITS each and every allegation contained therein.

26. Answering Factual Allegation 26 of Petitioner's Complaint, Respondent ADMITS each and every allegation contained therein.

27. Answering Factual Allegation 27 of Petitioner's Complaint, Respondent DENIES each and every allegation contained therein.

28. Answering Factual Allegation 28 of Petitioner's Complaint, Respondent ADMITS that, to the best of her recollection, Ms. Hartman's affidavit states that she (Hartman) spoke to the listing agent on the telephone, and Hartman provided the listing agent with a copy of the offer so she could discuss it with the Seller; that the Buyer advised Respondent and

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Respectfully submitted this 28th day of August, 2020.

JUSTICE LAW CENTER



BRET WHIPPLE, Esq.
NV Bar No. 006168
1100 S. 10th Street
Las Vegas, NV 89104
Telephone: (702) 731-0000
Attorney for Kathryn L. Miner

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CERTIFICATE OF SERVICE

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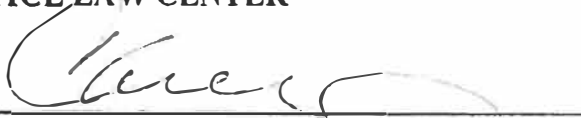
Pursuant to NRCP 5(b), I certify that I am Certificant named hereinbelow, and that on this 28th day of August, 2020 I emailed a copy of the attached RESPONDENT'S ANSWER TO ORIGINAL COMPLAINT as follows:

BY EMAIL TO: epattee@red.nv.gov

DATED this 28th day of August, 2020

JUSTICE LAW CENTER

By: _____


Curtis W. Cannon, Certificant
Employee of Justice Law Center