

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Case No. 2018-1039

Petitioner,

**FILED**

NOV 06 2020

vs.

VERONICA TOPETE,

REAL ESTATE COMMISSION

BY *Emily Latta*

Respondent.

**COMPLAINT AND NOTICE OF HEARING**

The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA (“Division”) hereby notifies VERONICA TOPETE (“RESPONDENT”) of an administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION (“Commission”). The hearing will be held pursuant to Chapters 233B and Chapter 645 of the Nevada Revised Statutes (“NRS”) and Chapter 645 of the Nevada Administrative Code (“NAC”). The purpose of the hearing is to consider the allegations stated below and to determine if the RESPONDENT should be subject to an administrative penalty as set forth in NAC 645.695, and the discipline to be imposed, if violations of law are proven.

**JURISDICTION**

RESPONDENT, at all relevant times mentioned in this Complaint, was licensed by the Division as a salesperson from the Division. She is therefore subject to the jurisdiction of the Division and the Commission and the provisions of NRS chapter 645 and NAC chapter 645.

**FACTUAL ALLEGATIONS**

1. RESPONDENT was licensed by the Division as a salesperson under license number S.0077117, issued on July 23, 2007, said license being in “active” status at the time of filing this Complaint.
2. RESPONDENT is also licensed in California.
3. On July 25, 2018, an individual signed in to take a continuing education class purporting to be RESPONDENT.

1 4. Another individual pointed out to the complainant ("Complainant") that the woman who signed  
2 was not RESPONDENT.

3 5. The woman who purported to sign in on RESPONDENT's behalf for the continuing education  
4 class identified herself as Adriana Garcia ("Garcia").

5 6. Upon further investigation, it was discovered that Garcia had attended continuing education  
6 courses on RESPONDENT's behalf and in place of her, and had signed in as RESPONDENT on July  
7 23<sup>rd</sup>, July 24<sup>th</sup>, and July 25<sup>th</sup> of 2018, and was also enrolled in a continuing education class that would  
8 take place July 26<sup>th</sup> of 2018 (collectively the "CE Classes").

9 7. RESPONDENT admitted to Complainant that she had Garcia sign in, appear, and/or enroll for  
10 the CE Classes on her behalf.

11 8. RESPONDENT further admitted that she had not taken any continuing education classes in  
12 Nevada because she is a California licensee and lives in California, but had taken 12 hours of online  
13 credits and that Garcia was taking the other 12 hours for her in Nevada.

14 9. RESPONDENT informed Complainant that RESPONDENT was very busy, had a real estate deal  
15 that would be closing, and needed to have her Nevada license renewed because she wanted to protect her  
16 buyer clients in the Nevada real estate transaction.

17 10. Following the incident, RESPONDENT was terminated from both her Nevada and California  
18 brokerages.

19 11. On August 3, 2018, the Division sent RESPONDENT a letter properly notifying her that the  
20 Division had opened an investigation against her based on a complaint it received and requested a  
21 response.

22 12. RESPONDENT responded to the Division.

23 13. In her response, RESPONDENT admitted to having Garcia sign in, appear, and/or enroll for the  
24 CE Classes on her behalf and stated that she took full responsibility.

25 14. In her response, RESPONDENT stated that she continued to be a realtor in Las Vegas after  
26 moving to California in 2010, and at the time of the incident, had personal issues, clients in escrow in a  
27 Nevada transaction, and that her Nevada license was set to expire on July 31, 2018- while her clients  
28 were in escrow.

1 15. On May 13, 2019, the Division sent RESPONDENT a letter properly notifying her that it intended  
2 to file a complaint against her for hearing before the Nevada Real Estate Commission.

3 **VIOLATIONS**

4 16. RESPONDENT violated NRS 645.633(1)(i) pursuant to NAC 645.605(1) on four separate  
5 occasions by engaging in deceitful, fraudulent, or dishonest dealings when she had another individual  
6 appear, sign in, and/or enroll on her behalf to take the CE Classes.

7 **DISCIPLINE AUTHORIZED**

8 1. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to impose an  
9 administrative fine of up to \$10,000 per violation against RESPONDENT and further to suspend, revoke  
10 or place conditions on the license of RESPONDENT.

11 2. Additionally, under NRS Chapter 622, the Commission is authorized to impose costs of the  
12 proceeding upon RESPONDENT, including investigative costs and attorney's fees, if the Commission  
13 otherwise imposes discipline on RESPONDENT.

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

16 **NOTICE OF HEARING**

17 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider this  
18 Administrative Complaint against the above-named RESPONDENTS in accordance with Chapters 233B  
19 and 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

20 **THE HEARING WILL TAKE PLACE** at the Commission meeting scheduled for December  
21 7-9, 2020, beginning at approximately 9:00 a.m. each day, or until such time as the Commission  
22 concludes its business.

23 If the Governor's Emergency Directive 006 - suspending physical location requirements - is  
24 extended through the date of the meeting, then the hearing will be held via virtual meeting. The  
25 Commission uses WebEx for its meetings. To join the hearing go to the Webex.com website and put in  
26 the Access code and Attendee ID:

27 **MONDAY, DECEMBER 7, 2020 Meeting number (Access code): 146 916 9796**

28 Password (Attendee ID): WyHprMwH856 (99477694856 from phones and video systems)

1 **TUESDAY, DECEMBER 8, 2020 Meeting number (Access code): 146 591 3821**

2 Password (Attendee ID): 22PeReJYYD2 (22737359932 from phones and video systems)

3 **WEDNESDAY, DECEMBER 9, 2020 Meeting number (Access code): 146 716 3477**

4 Password (Attendee ID): j4PSmxc3br7 (54776923277 from phones and video systems)

5 If you do not have internet access, you may attend by phone at 1-844-621-3956 using the access  
6 codes and attendee IDs listed above. Some mobile devices may ask attendees to enter a numeric attendee  
7 ID provided above. If Emergency Directive 006 is not extended and the meeting is held in person, then  
8 the meeting will be located at the following locations:

9 Nevada State Business Center  
10 Real Estate Division  
11 3300 West Sahara Avenue, Suite 350  
12 Las Vegas, NV 89102

13 If you would like an email containing this information, before the hearing, please contact Evelyn  
14 Pattee, Commission Coordinator, at (702) 486-4074 or [epattee@red.nv.gov](mailto:epattee@red.nv.gov).

15 **YOUR RIGHTS AT THE HEARING:** except as mentioned below, the hearing is an open  
16 meeting under Nevada's open meeting law, and may be attended by the public. After the evidence and  
17 arguments, the commission may conduct a closed meeting to discuss your alleged misconduct or  
18 professional competence. You are entitled to a copy of the transcript of the open and closed portions of  
19 the meeting, although you must pay for the transcription.

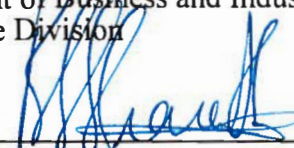
20 As the Respondent, you are specifically informed that you have the right to appear and be heard  
21 in your defense, either personally or through your counsel of choice. At the hearing, the Division has the  
22 burden of proving the allegations in the complaint and will call witnesses and present evidence against  
23 you. You have the right to respond and to present relevant evidence and argument on all issues involved.  
24 You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing  
25 witnesses on any matter relevant to the issues involved.

26 You have the right to request that the Commission issue subpoenas to compel witnesses to testify  
27 and/or evidence to be offered on your behalf. In making the request, you may be required to demonstrate  
28 the relevance of the witness' testimony and/or evidence. Other important rights you have are listed in  
NRS 645.680 through 645.990, NRS Chapter 233B, and NAC 645.810 through 645.875.

1 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC  
2 645 and if the allegations contained herein are substantially proven by the evidence presented and  
3 to further determine what administrative penalty is to be assessed against the RESPONDENT, if any,  
4 pursuant to NRS 645.235, 645.633 and or 645.630.

5 DATED this 3<sup>rd</sup> day of November, 2020.

6 State of Nevada  
7 Department of Business and Industry  
8 Real Estate Division

9 By:   
10 SHARATH CHANDRA, Administrator  
11 3300 West Sahara Avenue, Suite 350  
12 Las Vegas, Nevada 89102

13 AARON D. FORD  
14 Attorney General

15 By: /s/ *Karissa Neff*

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