

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Petitioner,

vs.

JOSHUA MICHAELI,

Respondent.

Case No. 2018-1542

**FILED**

MAY 15 2020

REAL ESTATE COMMISSION

BY *Sueley Tatter*

**COMPLAINT AND NOTICE OF HEARING**

The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA ("Division"), by and through its counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Dennis L. Belcourt, Deputy Attorney General, hereby notifies RESPONDENT JOSHUA MICHAELI ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE 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 NRS 645.230, NRS 645.235, NRS 645.633, NRS 645.630 and NRS 622.400, and the discipline to be imposed, if violations of law are proven.

**JURISDICTION**

RESPONDENT at all relevant times mentioned in this Complaint conducted activities for which a license or permit is required by NRS Chapter 645 and 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**

I. RESPONDENT is not licensed as a broker, broker-salesperson or sales person under NRS Chapter 645 and does not hold a property management permit.

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1 Nevada without first obtaining from the Real Estate Division one of those licenses and a permit to  
2 engage in property management.

3 **DISCIPLINE AUTHORIZED**

4 9. Pursuant to NRS 645.230 and NRS 645.235, the Commission is empowered to  
5 impose an administrative fine per violation against RESPONDENT that may not exceed the amount of  
6 any gain or economic benefit that the person derived from the violation or \$5,000 per violation,  
7 whichever is greater.

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

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

13 **NOTICE OF HEARING**

14 **PLEASE TAKE NOTICE** that a disciplinary hearing has been set to consider the  
15 Administrative Complaint against the above-named RESPONDENT in accordance with Chapters 233B  
16 and 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

17 **THE HEARING WILL TAKE PLACE on June 16, 2020 commencing at 9:00 a.m., or as**  
18 **soon thereafter as the Commission is able to hear the matter, and each day thereafter**  
19 **commencing at 9:00 a.m. through June 18, 2020, or earlier if the business of the Commission is**  
20 **concluded. The Commission meeting will be held on June 16, 2020, at the Nevada State Business**  
21 **Center, 3300 West Sahara Avenue, 4<sup>th</sup> Floor – Nevada Room, Las Vegas, Nevada 89102. The**  
22 **meeting will continue on June 17, 2020, at the Nevada State Business Center, 3300 West Sahara**  
23 **Avenue, 4<sup>th</sup> Floor – Nevada Room, Las Vegas, Nevada 89102, commencing at 9:00 a.m., and on**  
24 **June 18, 2020, should business not be concluded, starting at 9:00 a.m. at the Nevada State**  
25 **Business Center, 3300 West Sahara Avenue, 4<sup>th</sup> Floor – Tahoe Room, Las Vegas, Nevada 89102.**

26 **STACKED CALENDAR: Your hearing is one of several hearings scheduled at the same**  
27 **time as part of a regular meeting of the Commission that is expected to last from June 16, 2020,**  
28 **through June 18, 2020, or earlier if the business of the Commission is concluded. Thus, your**

1 **hearing may be continued until later in the day or from day to day. It is your responsibility to be**  
2 **present when your case is called. If you are not present when your hearing is called, a default**  
3 **may be entered against you and the Commission may decide the case as if all allegations in the**  
4 **complaint were true. If you have any questions please call Evelyn Pattee, Commission**  
5 **Coordinator (702) 486-4074.**

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

11 As the Respondent, you are specifically informed that you have the right to appear and be heard  
12 in your defense, either personally or through your counsel of choice. At the hearing, the Division has  
13 the burden of proving the allegations in the complaint and will call witnesses and present evidence  
14 against you. You have the right to respond and to present relevant evidence and argument on all issues  
15 involved.

16 You have the right to call and examine witnesses, introduce exhibits, and cross-examine  
17 opposing witnesses on any matter relevant to the issues involved.

18 You have the right to request that the Commission issue subpoenas to compel witnesses to  
19 testify and/or evidence to be offered on your behalf. In making the request, you may be required to  
20 demonstrate the relevance of the witness’ testimony and/or evidence. Other important rights you have  
21 are listed in NRS 645.680 through 645.990, NRS Chapter 233B, and NAC 645.810 through 645.920.

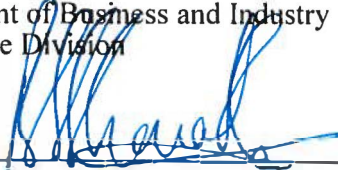
22 The purpose of the hearing is to determine if the Respondent has violated NRS 645 or NAC 645  
23 and if the allegations contained herein are substantially proven by the evidence presented and to further

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1 determine what administrative penalty, if any, is to be assessed against the Respondent, pursuant to  
2 NRS 645.235 or NRS 645.230.

3 DATED this 12 day of May, 2020.

4 State of Nevada  
5 Department of Business and Industry  
6 Real Estate Division

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

11 AARON D. FORD  
12 Attorney General

13 By: /s/ Dennis L. Belcourt  
14 DENNIS L. BELCOURT (Bar. No. 2658)  
15 Deputy Attorney General  
16 555 E. Washington Avenue, Suite 3900  
17 Las Vegas, Nevada 89101  
18 (702) 486-3326  
19 Attorneys for Real Estate Division  
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