

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

**FILED**

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

Case No. 2017-2134

FEB 07 2020

REAL ESTATE COMMISSION

BY Evelyn Patten

Petitioner,

vs.

MANUEL CORDOVA, JR.,

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 MANUEL CORDOVA, JR. (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 RESPONDENTS should be subject to an administrative penalty as set forth in NRS 645.633 and/or NRS 645.630 and/or NRS 622.400, and the discipline to be imposed, if violations of law are proven.

**JURISDICTION**

RESPONDENT MANUEL CORDOVA, JR., was at all relevant times mentioned in this Complaint, engaging in activities as a property manager without holding the proper permit issued by the Division 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**

1. RESPONDENT is an owner and a manager of CanAm Real Estate Services, LLC, a Nevada limited liability company ("CanAm").

2. RESPONDENT, at one time, was licensed by the Division as a salesperson under license number S.0180944, said license now being on closed status.

1           3. The Division has not issued a permit to RESPONDENT to engage in property management.

2           4. RESPONDENT is married to Rebecca Cordova who is also a manager of CanAm.

3           5. Rebecca Cordova has also been licensed as a Broker under license B.1001423.LLC since July  
4 17, 2014, which license is also on active status and she also holds an active property manager permit.

5           6. At all relevant times, complainant Anthony Marinaccio ("Marinaccio" and/or "Complainant")  
6 owned thirty-two rental properties in Clark County, Nevada, either individually, or through the following  
7 entities- AMV Investments, LLC and AV Rentals, LLC.

8           7. Marinaccio either individually, or through his entities, entered into several residential property  
9 management agreements with CanAm to lease and manage certain rental properties located at the  
10 following addresses: (1) 2241 Statz Street in North Las Vegas, Nevada, consisting of four units ("2241  
11 Statz Property"), (2) 2249 Statz Street in North Las Vegas, Nevada consisting of four units ("2249 Statz  
12 Property") (collectively the "Statz Properties"), (3) 2240 Ellis Street in North Las Vegas, Nevada,  
13 consisting of four units ("Ellis Property"), (4) 1409 Henry Drive in Las Vegas, Nevada, consisting of  
14 four units ("1409 Henry Property"), 1413 Henry Drive in Las Vegas, Nevada, consisting of four units  
15 ("1413 Henry Property") (collectively the "Henry Properties"), and 2839 Judson Ave. in North Las  
16 Vegas, Nevada, consisting of six units ("Judson Property"). The properties described in this paragraph  
17 and paragraph 9 of this Complaint shall be collectively referred to as the "Properties."

18           8. CanAm entered into residential management agreements with Marinaccio for the Statz  
19 Properties, the Ellis Property, the Henry Properties, and the Judson Property.

20           9. CanAm also performed property management duties on all six units of Marinaccio's and/or his  
21 entity's property located at 180 W New York Avenue in North Las Vegas, NV ("New York Property")  
22 without entering into a residential management agreement.

23           10. Between August 29, 2017 and September 22, 2017, Marinaccio notified RESPONDENT  
24 and/or CanAm that he was terminating his management agreement with CanAm for the Properties.

25           11. On or around September 29, 2017, Marinaccio filed a complaint with the Division alleging that  
26 CanAm, Rebecca Cordova, and/or RESPONDENT mismanaged the Properties.

27           12. On October 4, 2017 the Division properly notified RESPONDENT that it was opening an  
28 investigation based on Marinaccio's complaint with the Division.

1 13. The Division obtained certain documents during its investigation, including CanAm's  
2 residential property management agreements with Marinaccio and/or his entities, residential lease  
3 agreements for the Properties, financial documents, and correspondence between Marinaccio and  
4 RESPONDENT.

5 14. In response to the Division's investigation, RESPONDENT admitted to providing property  
6 management services with respect to the Properties.

7 15. In his response to the Division, RESPONDENT specifically stated, "we find it  
8 appalling that the [Complainant] makes the assertion that we performed no management services."

9 16. During its investigation, the Division obtained correspondence between RESPONDENT and  
10 Marinaccio where RESPONDENT referenced property management activities performed with respect to  
11 the New York Property.

12 17. In an email to Marinaccio, referencing the New York Property, RESPONDENT stated:

13 Here are some of the problems affecting the building monthly that is causing expenses month  
14 after month.

- 15 1. The cast iron plumbing throughout is deteriorated and the roofs from the  
16 neighboring pine tree have affected the sewer.
- 17 2. The plumbing belly is to [sic] shallow causing monthly back ups into units.
- 18 3. The flat roof needs to be replaced. It has continuous leaks.
- 19 4. The Window and doors need commercial security bars. As you know the standard  
20 ones are continually pried open.
- 21 5. Electrical Work.

22 As a recap the problem with throwing tens of thousands of dollars at the building is it won't do  
23 anything. We can dress it up as nice as Statz or Ellis but we or anyone else for that matter will  
24 not be able to get tenants or quality tenants to occupy the building...

25 I specifically remember before you purchased the building driving by and inspecting the building.  
26 In particular the roof. I remember you asking me my thought and I specifically remember telling  
27 you not to buy it.

28 18. At the time RESPONDENT was managing the New York Property, CanAm failed to enter  
into a property management agreement with Marinaccio and neither CanAm nor RESPONDENT had  
authority to manage the Property.

1 19. Even assuming that CanAm had entered into a valid, written property management agreement  
2 with Marinaccio giving CanAm authority to manage the New York Property, RESPONDENT's activities  
3 rose to the level of improperly performing duties that only a licensed broker and/or property manager  
4 may perform.

5 20. RESPONDENT improperly engaged in property management activities without first  
6 obtaining the proper permit from the Division to engage in such activities.

### 7 VIOLATIONS

8 RESPONDENT has committed the following violations of law:

9 RESPONDENT violated NRS 645.230(1)(b) by engaging in property management activity  
10 without first obtaining from the Real Estate Division the necessary permit.

### 11 DISCIPLINE AUTHORIZED

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

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

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

### 20 NOTICE OF HEARING

21 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider the  
22 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and  
23 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

24 **THE HEARING WILL TAKE PLACE on March 10, 2020 commencing at 9:00 a.m., or as**  
25 **soon thereafter as the Commission is able to hear the matter, and each day thereafter commencing**  
26 **at 9:00 a.m. through March 12, 2020 or earlier if the business of the Commission is concluded. The**  
27 **Commission meeting will be held on March 10, 2020, at the Grant Sawyer Building, 555 East**  
28 **Washington Avenue, Room 4401, Las Vegas, Nevada 89101. The meeting will continue on March**

11, 2020 at the Grant Sawyer Building, 555 East Washington Avenue, Room 4401, Las Vegas, Nevada 89101, commencing at 9:00 a.m., and on March 12, 2020, should business not be concluded, starting at 9:00 a.m. at the Grant Sawyer Building, 555 East Washington Avenue, Room 4401, Las Vegas, Nevada 89101.

**STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the same time as part of a regular meeting of the Commission that is expected to last from March 10, 2020 through March 12, 2020, or earlier if the business of the Commission is concluded. Thus, your hearing may be continued until later in the day or from day to day. It is your responsibility to be present when your case is called. If you are not present when your hearing is called, a default may be entered against you and the Commission may decide the case as if all allegations in the complaint were true. If you have any questions please call Evelyn Pattee, Commission Coordinator at (702) 486-4074.

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

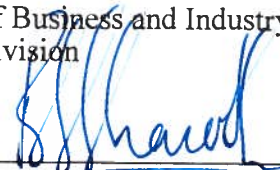
As the Respondent, you are specifically informed that you have the right to appear and be heard in your defense, either personally or through your counsel of choice. At the hearing, the Division has the burden of proving the allegations in the complaint and will call witnesses and present evidence against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

You have the right to request that the Commission issue subpoenas to compel witnesses to testify and/or evidence to be offered on your behalf. In making the request, you may be required to demonstrate 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.

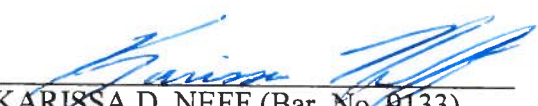
1 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC  
2 645 and if the allegations contained herein are substantially proven by the evidence presented and  
3 to further determine what administrative penalty is to be assessed against the RESPONDENT, if any,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

5 DATED this 5<sup>th</sup> day of February, 2019.

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

9 By:   
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