

BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

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

Petitioner,

vs.

JEAN MARIE MCGANNON,

Respondent.

Case No. 2019-1293

FILED

FEB 07 2020

REAL ESTATE COMMISSION

BY *Emily T. Patten*

COMPLAINT AND NOTICE OF HEARING

The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA ("Division") hereby notifies JEAN MARIE MCGANNON (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 RESPONDENT 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 JEAN MARIE MCGANNON was at all relevant times mentioned in this Complaint, licensed as a broker under B.1001656.INDV and holds an active property management permit 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 licensed by the Division as a broker under license B.1001656.INDV, which license is currently active and holds an active property management permit.

2. RESPONDENT is the broker and owner of Jackpot Property Management and has also done business as RPM Jackpot and Jackpot Realty.

3. On or around November 18, 2019, the Division sent RESPONDENT a letter requesting that RESPONDENT respond to the Division whether she currently, or in the past year, held any funds (to include the collection, handling or access to owner rents, tenant security deposits or any other funds) under her Nevada brokerage other than herself .

4. RESPONDENT failed to respond to the Division's November 18th letter.

5. On November 25, 2019, the Division sent RESPONDENT a letter informing her that she failed to submit her trust reconciliation(s) to the Division for October of 2019.

6. As a result, the Division imposed a \$1,000 dollar fine (the "Fine") and requested that the Fine and the trust account reconciliation(s) be remitted to the Division by December 26, 2019.

7. RESPONDENT failed to provide the Division with the trust account reconciliation(s) and failed to pay the Fine.

VIOLATIONS

RESPONDENT committed the following violations of law:

RESPONDENT violated NRS 645.310(5) by failing to submit her trust account reconciliation(s) to the Division.

RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(11)(a) and (b) by failing to comply with a request by the Division to provide a written response and to provide documents.

DISCIPLINE AUTHORIZED

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

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

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

• • •

• • •

1 **NOTICE OF HEARING**

2 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider the
3 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and
4 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

5 **THE HEARING WILL TAKE PLACE on March 10, 2020 commencing at 9:00 a.m., or as**
6 **soon thereafter as the Commission is able to hear the matter, and each day thereafter commencing**
7 **at 9:00 a.m. through March 12, 2020 or earlier if the business of the Commission is concluded. The**
8 **Commission meeting will be held on March 10, 2020, at the Grant Sawyer Building, 555 East**
9 **Washington Avenue, Room 4401, Las Vegas, Nevada 89101. The meeting will continue on March**
10 **11, 2020 at the Grant Sawyer Building, 555 East Washington Avenue, Room 4401, Las Vegas,**
11 **Nevada 89101, commencing at 9:00 a.m., and on March 12, 2020, should business not be concluded,**
12 **starting at 9:00 a.m. at the Grant Sawyer Building, 555 East Washington Avenue, Room 4401, Las**
13 **Vegas, Nevada 89101.**

14 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the same
15 time as part of a regular meeting of the Commission that is expected to last from March 10, 2020
16 through March 12, 2020, or earlier if the business of the Commission is concluded. Thus, your
17 hearing may be continued until later in the day or from day to day. It is your responsibility to be
18 present when your case is called. If you are not present when your hearing is called, a default may
19 be entered against you and the Commission may decide the case as if all allegations in the complaint
20 were true. If you have any questions please call Evelyn Pattee, Commission Coordinator at (702)
21 486-4074.

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

27 As the Respondent, you are specifically informed that you have the right to appear and be heard
28 in your defense, either personally or through your counsel of choice. At the hearing, the Division has the


1 burden of proving the allegations in the complaint and will call witnesses and present evidence against
2 you. You have the right to respond and to present relevant evidence and argument on all issues involved.
3 You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing
4 witnesses on any matter relevant to the issues involved.

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


9 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC
10 645 and if the allegations contained herein are substantially proven by the evidence presented and
11 to further determine what administrative penalty is to be assessed against the RESPONDENT, if any,
12 pursuant to NRS 645.235, 645.633 and or 645.630.

13 DATED this 5th day of February, 2020.

14 State of Nevada
15 Department of Business and Industry
16 Real Estate Division

17 By: 
18 SHARATH CHANDRA, Administrator
19 3300 West Sahara Avenue, Suite 350
20 Las Vegas, Nevada 89102

21 AARON D. FORD
22 Attorney General

23 By: 
24 KARISSA D. NEFF (Bar. No. 9133)
25 Deputy Attorney General
26 555 E. Washington Avenue, Suite 3900
27 Las Vegas, Nevada 89101
28 (702) 486-3894
Attorneys for Real Estate Division