

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. 2019-699

**FILED**

FEB 07 2020

REAL ESTATE COMMISSION  
BY *Evelyn Tattler*

**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 was the broker and owner of Jackpot Property Management and has also done business as RPM Jackpot and Jackpot Realty.

1           3. Daniel Bryant ("Complainant" and/or "Bryant") owned a residential property located at 3824  
2 Hollycroft Drive in North Las Vegas, Nevada and hired RESPONDENT and/or her company to provide  
3 property management services for the property.

4           4. On or around June 17, 2019, Bryant filed a complaint against RESPONDENT and RPM  
5 Jackpot with the Division stating that he was forced to repeatedly contact RESPONDENT to receive his  
6 owner's payment from the property and was given different excuses by RESPONDENT why his rental  
7 payment was untimely.

8           5. Despite several requests, RESPONDENT also failed to provide Bryant with pre-rental  
9 inspection reports related to the rental of his property.

10          6. RESPONDENT also failed to provide Bryant with his 2018 tax documents until after he made  
11 numerous requests.

12          7. Bryant then changed property management services from RESPONDENT's company to TOW  
13 Realty.

14          8. During the transition from terminating RESPONDENT's company's services and hiring TOW  
15 Realty, Bryant's tenants moved out of the property.

16          9. RESPONDENT refused to provide Bryant with the pre-rental inspection report and photos  
17 related to the former tenants' lease of the property, interfering with and delaying Bryant's ability to lease  
18 the property to new tenants.

19          10. The Division determined that RESPONDENT violated NRS 645.633(1)(h) pursuant to  
20 NAC 645.605(6) by committing gross negligence or incompetence by breaching her obligation of  
21 absolute fidelity to her principal's interest or her obligation to deal fairly with all parties to a real estate  
22 transaction.

23          11. The Division also determined that RESPONDENT violated NRS 645.633(1)(h) pursuant  
24 to NAC 645.605(11)(a) and (b) by committing gross negligence or incompetence by failing to respond  
25 to the Division and/or to provide documents.

26          12. On October 8, 2019, the Division properly gave RESPONDENT notice of its issued Notice of  
27 Violation with Imposition of Administrative Fine and imposed an administrative fine in the amount of  
28 \$1,000 ("Administrative Fine") against RESPONDENT that was to be paid by November 9, 2019.

1 13. To date, RESPONDENT has failed to pay the Administrative Fine due to the Division and has  
2 failed to respond to the Division.

3 14. On December 5, 2019, the Division properly gave RESPONDENT notice that it was  
4 commencing disciplinary action against her.

### 5 VIOLATIONS

6 RESPONDENT committed the following violations of law:

7 1. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(6) by  
8 committing gross negligence or incompetence by breaching her obligation of absolute fidelity to her  
9 principal's interest or her obligation to deal fairly with all parties to a real estate transaction.

10 2. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(11)(a) and NAC  
11 645.605(11)(b) by failing to provide documents and/or respond to the Division.

### 12 DISCIPLINE AUTHORIZED

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

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

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

### 21 NOTICE OF HEARING

22 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider the  
23 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and  
24 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

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

1 Washington Avenue, Room 4401, Las Vegas, Nevada 89101. The meeting will continue on March  
2 11, 2020 at the Grant Sawyer Building, 555 East Washington Avenue, Room 4401, Las Vegas,  
3 Nevada 89101, commencing at 9:00 a.m., and on March 12, 2020, should business not be concluded,  
4 starting at 9:00 a.m. at the Grant Sawyer Building, 555 East Washington Avenue, Room 4401, Las  
5 Vegas, Nevada 89101.

6 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the same  
7 time as part of a regular meeting of the Commission that is expected to last from March 10, 2020  
8 through March 12, 2020, or earlier if the business of the Commission is concluded. Thus, your  
9 hearing may be continued until later in the day or from day to day. It is your responsibility to be  
10 present when your case is called. If you are not present when your hearing is called, a default may  
11 be entered against you and the Commission may decide the case as if all allegations in the complaint  
12 were true. If you have any questions please call Evelyn Pattee, Commission Coordinator at (702)  
13 486-4074.

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

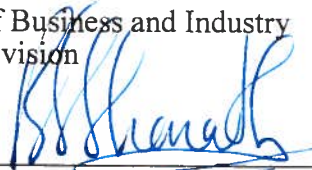
19 As the Respondent, you are specifically informed that you have the right to appear and be heard  
20 in your defense, either personally or through your counsel of choice. At the hearing, the Division has the  
21 burden of proving the allegations in the complaint and will call witnesses and present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

25 You have the right to request that the Commission issue subpoenas to compel witnesses to testify  
26 and/or evidence to be offered on your behalf. In making the request, you may be required to demonstrate  
27 the relevance of the witness' testimony and/or evidence. Other important rights you have are listed in  
28 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, 2020.

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

9 By:   
10 SHARATH CHANDRA, Administrator  
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13 AARON D. FORD  
14 Attorney General

15 By:   
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