



April 6, 2018

VIA U.S. MAIL

Sharath Chandra, Administrator
Real Estate Division
Department of Business & Industry
State of Nevada
3300 W. Sahara Avenue, Suite 350
Las Vegas, NV 89102

Re: **Reda Maria Guden**
Case No. 2016-2130

Dear Administrator:

Enclosed please find Reda Maria Guden's Answer to Complaint in the above-referenced matter.

Should you have any questions or concerns, please give me a call.

Very truly yours,

LEE A. DRIZIN, CHTD.

Lester A. Berman
LESTER A. BERMAN, ESQ.

LB/slh

cc: Keith Kizer
Carolyn Washington

FILED

APR 10 2018

REAL ESTATE COMMISSION
BY *[Signature]*

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BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

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

Case No.: 2016-2130

Petitioner,

vs.

REDA MARIA GUDEN,

Respondent.

ANSWER TO COMPLAINT

Respondent, Reda Maria Guden, by and through her attorney, Lee A. Drizin, Esq. of Lee A. Drizin Chtd., hereby answers the Complaint of Petitioner and admits, denies and alleges as follows:

JURISDICTION

Respondent admits that jurisdiction in this matter with the Division and Commission is proper.

FACTUAL ALLEGATIONS

1. Answering Paragraphs 1, 2, 4, 7, 9, 10, 12, 14, 15, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27 and 28 of the Complaint, Respondent admits the allegations contained within said paragraphs.

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2. Answering Paragraph 3 of the Complaint, Respondent denies that Account 5702 is the correct account number for the account referenced in this Paragraph and hereby incorporates by reference this denial into Paragraphs 4, 5, 15, 17, 18, 21, 22, 23, 24, 25, 31, 37, 38, 39 and 40. The correct account number is XXXXXX5072.

3. Answering Paragraph 6 of the Complaint, Respondent denies that Account 8742 was an operating account for American First Realty, LLC as such account was used solely for the collection of rents and payment for expenses related to certain properties managed by Davit Hakobyan. Expenses for American First Realty, LLC were not paid from this account.

4. Answering Paragraphs 8 and 20 of the Complaint, Respondent denies each and every allegation therein.

5. Answering Paragraph 11 of the Complaint, Respondent admits that the account existed at JP Morgan Chase Bank but denies the remaining allegations contained in said Paragraph as such account was used solely for the security deposits related to certain properties managed by Davit Hakobyan. Expenses for American First Realty, LLC were not paid from this account.

6. Answering Paragraph 13 of the Complaint, Respondent admits that the account existed at Bank of the West but denies the remaining allegations contained in said Paragraph as such account was used solely for the security deposits related to certain properties managed by Davit Hakobyan. Expenses for American First Realty, LLC were not paid from this account.

7. Answering Paragraph 16 of the Complaint, Respondent admits that security deposits were deposited into Account 8303 but no rents were deposited into that account.

VIOLATIONS

8. Answering Paragraphs 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41 and 42 of the Complaint, Respondent denies each and every allegation contained within said Paragraphs.

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9. Answering Paragraphs 43 and 44 of the Complaint, and without admitting any facts or law, Respondent admits the allegations contained in said Paragraphs.

10. Paragraph 45 of the Complaint is not an allegation which requires an answer.

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1. The Complaint and any allegations contained therein fail to state any violation of applicable law and should be dismissed.

2. At all times mentioned in the Complaint, Respondent designated all bank accounts under her control properly and in compliance with NRS 645 and NAC 645.

3. At all times mentioned in the Complaint, the Respondent promptly answered and all requests for information submitted to her by the Division and cooperated with Division in their investigation.

4. At all times mentioned in the Complaint, Respondent properly accounted for
ds placed under her control which belonged to third parties.

5. The Respondent properly transferred all funds under her control to RE/MAX
I when requested to do so and, further, made such transfers in a timely fashion.

6. The Petitioner is estopped from bringing the complaint herein.

7. Respondent made payment to the appropriate parties of all funds under her control when her property management clients transferred their business to another agent.

8. Respondent reserves her right to amend her answer herein and set forth additional affirmative defenses to the Complaint if such defenses become apparent to Respondent at a later date but prior to the hearing of this matter.

1 Therefore, based on all the above, Respondent requests that the Commission find
2 in her favor regarding the Complaint filed in this matter and dismiss such complaint without
3 the imposition of any administrative penalties.

4 DATED this ____ day of April, 2018.

5 **LEE A. DRIZIN, CHTD.**

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7 _____
8 **LEE A. DRIZIN, ESQ.**

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