

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Petitioner,

vs.

ARLANDUS RENE WHITE,

Respondent.

Case No. 2018-1305

**FILED**

MAY 15 2020

REAL ESTATE COMMISSION

BY *Emily Tattle*

**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 ARLANDUS RENE WHITE ("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 645.633, 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 was licensed as a real estate salesperson by the Division. He 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 has been and as of the date of this complaint is currently licensed by the Division as a real estate salesperson, S.0168757. His broker of record at the time of the violations alleged herein was Michelle De Bord-Ridge, B.1001955.LLC, Carrington Real Estate Services LLC.

2. Complainant Stephanie O'Rourke of Huntington Beach, California ("Complainant") and her sister, Julie Colbert ("Colbert"), were, at all times relevant herein, co-owners as shown on the Clark County Assessor's website of real property in Henderson Nevada, assessor's parcel number 179-04-304-001 (the Parcel).

3. On or about May 23, 2017, Complainant received an e-mail invitation to sign a listing agreement with RESPONDENT to sell the Parcel.

4. On or about May 26, 2017, Complainant responded to the above invitation by stating that she was “declining to sign at this time.”

5. On one or more occasions, RESPONDENT and Colbert entered into a listing agreement for the Parcel without Complainant's consent.

6. On one or more occasions, RESPONDENT listed said parcel on Greater Las Vegas Association of Realtor's multiple listing service or otherwise marketed the parcel without Complainant's consent.

7. RESPONDENT knew or had reason to know of Complainant's ownership interest in the Parcel when entering into listing agreements with Colbert or marketing the property.

8. On or about November 14, 2018, the Division sent to RESPONDENT via certified mail, return receipt requested, a Notice of Violation with Imposition of Administrative Fine ("Notice"), with a fine amount of \$1,500 and payment due date of December 14, 2018, which Notice stated that Respondent was found to have violated NRS 645.633(1)(i) and/or NAC 645.605(1) and NRS 645.635(1).

9. RESPONDENT appealed the DIVISION'S Notice on or about December 10, 2018, and the DIVISION denied the appeal on December 14, 2018.

10. Despite being given extensions of time to pay the fine, RESPONDENT has failed to make any payments.

## VIOLATIONS

RESPONDENT has committed the following violations of law:

11. RESPONDENT violated NRS 645.633(1)(i) pursuant to NAC 645.605(1) and NRS 645.635(1), by offering the Parcel for sale without the knowledge and consent of Complainant.

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1 **DISCIPLINE AUTHORIZED**

2 12. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to impose  
3 an administrative fine per violation against RESPONDENT that may not exceed \$10,000, and further to  
4 suspend, revoke or place conditions on the license of RESPONDENT, for his violation of NRS  
5 645.635(1).

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

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

11 **NOTICE OF HEARING**

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

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

24 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled at the same  
25 time as part of a regular meeting of the Commission that is expected to last from June 16, 2020,  
26 through June 18, 2020, or earlier if the business of the Commission is concluded. Thus, your  
27 hearing may be continued until later in the day or from day to day. It is your responsibility to be  
28 present when your case is called. If you are not present when your hearing is called, a default may

1 be entered against you and the Commission may decide the case as if all allegations in the complaint  
2 were true. If you have any questions please call Evelyn Pattee, Commission Coordinator (702) 486-  
3 4074.

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

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

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

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

20 The purpose of the hearing is to determine if the RESPONDENT has violated NRS 645 or NAC  
21 645 and if the allegations contained herein are substantially proven by the evidence presented and

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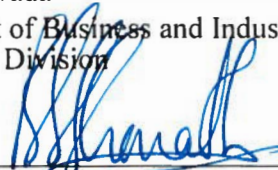
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1 to further determine what administrative penalty, if any, is to be assessed against the RESPONDENT,  
2 pursuant to NRS 645.633 or NRS 645.630.

3 DATED this 12 day of May, 2020.

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

7 By:   
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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  
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