

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

Case No. 2020-866

REAL ESTATE COMMISSION
BY Emily Patten

Petitioner,

vs.

PAMELA JO GREEN,

Respondent.

FINDING OF FACT, CONCLUSIONS OF LAW AND ORDER

This matter came on for hearing before the Real Estate Commission, Department of Business and Industry, State of Nevada (the "Commission"), during a regular agenda set for a three-day stack commencing on September 14, 2021 (the "Hearing"). RESPONDENT Pamela Jo Green (hereinafter, "RESPONDENT") appeared on her own behalf. Karissa D. Neff, Esq., Senior Deputy Attorney General with the Nevada Attorney General's Office, appeared on behalf of the Real Estate Division of the Department of Business and Industry, State of Nevada (the "Division"). After hearing testimony presented in this matter and for good cause appearing, the Commission now enters its Findings of Fact, Conclusions of Law, and Order against RESPONDENT as follows:

JURISDICTION

RESPONDENT was at all relevant times mentioned in this Complaint, licensed as a salesperson and also engaged in activities requiring a property management permit and broker's license from the Division despite not holding either and/or did not operate under a broker, and is therefore subject to the jurisdiction of the Division and the Commission, and the provisions of NRS chapter 645 and NAC chapter 645.

FINDINGS OF FACT

The Commission, based on the evidence presented during the Hearing and by unanimous vote, enters the finding of the following facts:

1 1. RESPONDENT is licensed by the Division as a salesperson under license S.0075615, said
2 license issued by the Division in February of 2007, and also holds a property management permit from
3 the Division under PM.0167694 issued in February of 2020, both of which are in “inactive” status.

4 2. Beginning in approximately February of 2007, RESPONDENT worked as an agent for her
5 father’s (Wes Green’s) property management company that did business as Integrity Real Estate &
6 Property Management (“Integrity”).

7 3. Wes Green (RESPONDENT’S father) was the broker for Integrity under license
8 B.0001285.CORP.

9 4. On or around March 21, 2014, RESPONDENT’S father and broker (Wes Green) passed away.

10 5. RESPONDENT did not notify Integrity’s property management clients or the Division of her
11 father’s passing.

12 6. RESPONDENT continued to manage properties for Integrity despite not having a broker or
13 holding a property management permit from the Division.

14 7. Following her father’s death, RESPONDENT prepared and submitted, Integrity’s annual trust
15 account reconciliations to the Division bearing her deceased father’s Wes Green’s signature each year
16 from 2015 through 2020.

17 8. Following her father’s death, RESPONDENT completed and submitted education certificates
18 to the Division indicating that Wes Green had completed the necessary education to renew his licenses
19 with the Division for his 2017 and 2019 license renewals.

20 9. Following her father’s death, RESPONDENT completed and submitted Wes Green’s real
21 estate and property management permit renewal applications to the Division for the years 2017 and 2019.

22 10. Following her father’s death, RESPONDENT completed and submitted to the Division a
23 Consent to Service document and a Real Estate Termination Form bearing Wes Green’s signature.

24 11. On February 28, 2020, RESPONDENT applied for and obtained a property management
25 permit from the Division.

26 12. Her property management permit application bore her deceased father’s signature and he was
27 designated as RESPONDENT’S broker/property manager.
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1 **Beatty Complaint**

2 13. On or around September 17, 2020, Wendy Beatty ("Beatty") filed a complaint with the
3 Division.

4 14. Beatty stated that she was starting a new property management company (Integrity Property
5 Management and Investments, Inc. ("New Company")), that she and RESPONDENT were going to merge
6 companies, and that RESPONDENT was going to utilize Beatty as her broker.

7 15. In her complaint to the Division, Beatty stated that she requested tenant deposits and
8 September rents from RESPONDENT to enter them into the New Company's software to reflect them
9 on the owner's statements.

10 16. Beatty stated that a couple of weeks went by and RESPONDENT had failed to provide her
11 with the tenant deposit and rents.

12 17. Beatty stated that RESPONDENT admitted to her that she had spent the tenant deposits and
13 rents.

14 **Neu Complaint**

15 18. On September 17, 2020, John Neu ("Neu") filed a complaint with the Division against
16 RESPONDENT.

17 19. Neu stated that RESPONDENT had managed five of his residential rental properties for
18 several years and that with all of his rental properties, tenants paid RESPONDENT (through Integrity)
19 directly each month, and that RESPONDENT then distributed the tenant rental money into the owners'
20 individual bank accounts.

21 20. Neu stated that from December 2019 to April 2020, the rental deposits were made every three
22 to four months instead of monthly, without any explanation from RESPONDENT.

23 21. After Neu reviewed the rental deposits he had received from December 2019 to September
24 2020 from RESPONDENT, he stated that he discovered a total of \$25,753.00 in tenant rents paid to
25 RESPONDENT had not been remitted to him.

26 22. Neu stated he called RESPONDENT and she told him that she needed to take his rental
27 income from her business account to cover a large check she had received from a friend that bounced and
28 would distribute the money owed to Neu after she obtained a loan.

1 23. Neu did not receive the \$25,753.00 in tenant rental money owed to him by RESPONDENT.

2 24. Neu also stated that he further discovered that RESPONDENT had been operating as a
3 property manager without a broker's license.

4 25. Neu claims that RESPONDENT embezzled a total of \$49,729.00 from him in tenant rents and
5 in security deposits for the five properties he owned between January of 2020 and September of 2020.

6 **Nadeau Complaint**

7 26. On November 23, 2020, David Nadeau ("Nadeau") filed a complaint with the Division against
8 RESPONDENT.

9 27. Nadeau alleged in part, that he owned a rental property located at 11024 Mount Pendleton
10 Street, Las Vegas, NV 89179, and had entered into a property management agreement with Integrity on
11 May 1, 2014 (after RESPONDENT's father's death) to manage the property.

12 28. Nadeau stated that in May of 2020 he did not timely receive his usual rental monthly
13 disbursement into his property owner checking account by the 10th of the month as had been the well-
14 established custom over the first six years under the Integrity property management agreement.

15 29. Nadeau stated that that he had to contact RESPONDENT regarding the missed rental
16 payment and received it on or around May 21, 2020.

17 30. Nadeau stated that RESPONDENT then failed to timely pay him monthly rental payments
18 for both July and August of 2020, forcing him to initiate a formal mediation to obtain them.

19 31. Nadeau stated that throughout July, August, and September of 2020, he became aware that
20 RESPONDENT's broker father passed away in 2014, and believed his property was being managed by
21 RESPONDENT, who likely was not licensed to engage in property management.

22 32. Nadeau stated that on September 1, 2020, he received an email from the New Company
23 announcing its name change from Integrity and welcoming Beatty as its newest broker.

24 33. On September 16, 2020, Nadeau received an email on behalf of the New Company stating
25 that Beatty would no longer be partnering with RESPONDENT, that RESPONDENT was not associated
26 with the New Company, and RESPONDENT would be handling her separate portfolio.

27 34. On or around September 17, 2020, Nadeau terminated his property management
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1 agreement with RESPONDENT for cause and entered into a property management agreement with
2 Berkshire Hathaway Home Services (“BHHS”) on September 18, 2020.

3 35. On September 18, 2020, BHHS’s rental property manager contacted RESPONDENT and
4 requested RESPONDENT transfer Nadeau’s \$2,175.00 in tenant deposits to BHHS.

5 36. RESPONDENT failed to do so and Nadeau began a formal mediation process.

6 37. Pursuant to an agreement reached in the mediation, RESPONDENT agreed to transfer the
7 tenant deposits to BHHS on or before October 28, 2020.

8 38. RESPONDENT wrote a check for the tenant deposits to BHHS on October 29, 2020, but it
9 was returned due to insufficient funds.

10 39. Nadeau also claimed that under Integrity’s property management agreement, RESPONDENT
11 collected a management fee on seventy-six occasions, totaling over \$8,708.00 to which she was not
12 entitled.

13 **Beranek Complaint**

14 40. On or around October 20, 2020, Yana Beranek (“Beranek”) filed a complaint with the
15 Division.

16 41. Beranek alleged that RESPONDENT had helped her purchase and manage her properties
17 since 2009.

18 42. Beranek stated in her complaint that five months prior to her filing her complaint with the
19 Division, RESPONDENT started delaying paying her tenant rents she collected on both of the properties
20 she owned.

21 43. Beranek stated that RESPONDENT collected rent for the months of August and September
22 2020 in the amount of \$2,600 but never remitted the money to her.

23 44. Beranek also stated that RESPONDENT was holding two security deposits for each property-
24 one for \$1,145.00 and one for \$1,200.00.

25 45. Beranek claimed RESPONDENT owed her a total of \$4,945.00, that RESPONDENT had
26 promised to pay her the money owed by the end of the week, did not, and stopped answering her phone.

27 **Czarke Complaint**

28 46. On or around December 22, 2020, Fred Czarske filed a complaint with the Division against

1 RESPONDENT on behalf of his elderly mother, Patricia Czarske.

2 47. Czarske stated that Patricia Czarske owned property located at 7687 White Ginger Avenue in
3 Las Vegas, Nevada.

4 48. Czarske stated that on or about May of 2014 (after RESPONDENT's broker and father's
5 death) RESPONDENT operated a fraudulent and illegal rental property business and suspected
6 RESPONDENT had never been licensed to conduct property management in Nevada.

7 49. Csarke claimed that RESPONDENT had failed to transfer \$2,645.00 in tenant deposits to
8 Csarke's new property management company, Berkshire Hathaway, and had failed to pay two months
9 rent for January 2020 and February 2020, totaling \$4,400.00.

10 50. On September 25, 2020, the Division properly notified RESPONDENT it had opened an
11 investigation against her and requested a response by October 12, 2020.

12 51. RESPONDENT did not respond to the Division's investigation and hired legal counsel to do
13 so.

14 52. On October 12, 2020, RESPONDENT's legal counsel responded to the Division that
15 RESPONDENT was asserting her Fifth Amendment privilege against self-incrimination.

16 53. On October 22, 2020, and on November 12, 2020, the Division requested to
17 RESPONDENT's legal counsel that RESPONDENT provide the following information: (1) the name
18 of the person who signed broker Wes Green's Trust Account Reconciliations for 2015 through 2020; (2)
19 the name of the person who completed Wes Green's Continuing Education courses for license renewal
20 for the years 2017 and 2019, and (3) the name of the person who completed broker Wes Green's Real
21 Estate and Property Management Permit renewal for the years 2017 and 2019 (collectively the
22 "Requested Information").

23 54. On November 24, 2020, the Division received a letter from RESPONDENT's attorney stating
24 that their firm had terminated RESPONDENT's representation.

25 55. RESPONDENT herself did not respond to the Division's investigation or provide the Division
26 with the Requested Information.

27 56. RESPONDENT's subsequent broker, Larry Hand ("Hand"), of Silver Canyon Realty
28 Inc. ("Silver Canyon") responded to the Division's investigation on November 24, 2020.

1 57. Hand stated that he had no information on the properties referenced in the Division's letter to
2 him and that RESPONDENT did not indicate that she was managing those properties.

3 58. Hand further stated that after becoming aware of the complaints being filed against
4 RESPONDENT with the Division, he spoke with RESPONDENT and asked her where \$31,400.00 in
5 tenant deposits were.

6 59. Hand stated RESPONDENT informed him that she had used the tenant deposits for personal
7 use.

8 60. Hand stated at no time did Silver Canyon receive any money from RESPONDENT.

9 61. Hand further stated that he told RESPONDENT to seek legal counsel, to stop
10 managing properties, and that he was returning her license to the Division because she was "breaking the
11 law."

12 62. Hand stated that he returned RESPONDENT's license to the Division on October 21, 2020.

13 63. As part of the Division's investigation it also subpoenaed bank records for accounts held by
14 Wes Green and/or M& W Capital Inc. dba Integrity Real Estate & Property Management.

15 64. The signature cards for Integrity's bank accounts designated as rental trust accounts and
16 security deposit trust accounts following RESPONDENT's father's death, bore only RESPONDENT's
17 signature and not a broker's signature.

18 65. Bank statements from RESPONDENT's business advantage account showed that
19 RESPONDENT was using the account to make personal purchases.

20 66. On January 11, 2021, the Division properly notified RESPONDENT it was bringing a
21 disciplinary action against her by filing a complaint before the Commission for a hearing.

22 VIOLATIONS OF LAW

23 Based on the foregoing findings of fact, the Commission concludes, by unanimous vote, that
24 RESPONDENT committed the following violations of law:

25 67. RESPONDENT violated NRS 645.633(1)(i) by engaging in deceitful, fraudulent or
26 dishonest dealings by failing to notify her father's property management clients and the Division of his
27 passing, and by continuing to run his business under his licensure after his death, while not holding the
28 required licensing to do so herself.

1 68. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(1) by engaging in
2 gross negligence or incompetence by engaging in property management without the proper licensure
3 from the Division and by failing to do her utmost to protect the public against fraud, misrepresentation,
4 and unethical practices related to real estate.

5 69. RESPONDENT violated NRS 645.252(2) by failing to exercise reasonable skill and care with
6 respect to all parties to a real estate transaction.

7 70. RESPONDENT violated NRS 645.633(1)(i) six times by engaging in deceitful, fraudulent or
8 other dishonest dealings by preparing and submitting Integrity's annual trust account reconciliations to
9 the Division bearing her deceased father's, Wes Green's, signature each year from 2015 through 2020.

10 71. RESPONDENT violated NRS 645.633(1)(i) at least 16 times by engaging in conduct that is
11 deceitful, fraudulent, or dishonest by submitting continuing education credits for her deceased father to
12 the Division.

13 72. RESPONDENT violated NRS 645.633(1)(i) on at least two occasions by causing her
14 deceased father's license renewal applications to be submitted to the Division for 2017 and 2019.

15 73. RESPONDENT violated NRS 645.633(1)(i) two times by submitting a Consent to Service
16 document and a Real Estate Termination Form to the Division bearing Wes Green's signature following
17 his death.

18 74. RESPONDENT violated NRS 645.633(1)(i) by submitting a property management permit
19 application to the Division bearing her deceased father's signature designating him as RESPONDENT's
20 broker/property manager.

21 75. RESPONDENT violated NRS 645.630(1)(f) with respect to four of Integrity's property
22 management clients on multiple occasions by failing, within a reasonable time, to account for or remit
23 any money which comes into her possession which belongs to others.

24 76. RESPONDENT violated NRS 645.630(1)(c) by accepting property management fees from
25 Integrity's clients following the passing of her broker father.

26 77. RESPONDENT violated NRS 645.630(1)(d) by representing or attempting to represent a real
27 estate broker other than whom RESPONDENT was associated with, without that express knowledge and
28 consent.

1 78. RESPONDENT violated NRS 645.630(1)(i) by failing to place in the custody of her broker,
2 as soon as possible, any deposit or other money entrusted to her as the representative of her licensed
3 broker.

4 79. RESPONDENT violated NRS 645.630(1)(h) by comingling the money of her clients with her
5 own and converting the money of others for her own use.

6 80. RESPONDENT violated NRS 645.633 (1)(h) pursuant to NAC 645.605(6) by breaching her
7 obligation of absolute fidelity to her principal's interest or her obligation to deal fairly with all parties to
8 a real estate transaction with respect to four of Integrity's property management clients.

9 81. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(11)(b) by failing to
10 provide a written response and the Requested Information to the Division.

11 82. RESPONDENT violated NAC 645.655(6) by being the only signatory on a custodial or trust
12 account without having her broker's signature.

13 **ORDER**

14 1. RESPONDENT shall pay an administrative fine to the Division in the amount of \$375,000.00,
15 along with the Division's costs in the amount of \$3,965.82, for a total amount of \$378,965.82 ("Amount
16 Due"). The Amount Due shall be payable to the Division within 90 days of the effective date of this
17 Order.

18 2. Any and all licenses and permits issued by the Division held by RESPONDENT are hereby
19 revoked. Should RESPONDENT desire to become licensed with the Division, and provided that
20 RESPONDENT has paid the Amount Due to the Division, RESPONDENT shall be required to submit a
21 new application to the Division and comply with all Division requirements. Any such application for
22 licensure shall be deferred to the Commission for its determination of whether or not to approve
23 RESPONDENT's application for licensure.

24 3. The Division may institute debt collection proceedings for failure to timely pay the Amount
25 Due, including an action to reduce this Order to a judgment. Further, if collection goes through the State
26 of Nevada, then RESPONDENT shall also pay the costs associated with collection.

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1 4. The Commission retains jurisdiction for correcting any errors that may have occurred in the
2 drafting and issuance of this document.

3 5. This order shall become effective on the 23rd day of October, 2021.

4 DATED this 23rd day of September, 2021.

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6 REAL ESTATE COMMISSION
STATE OF NEVADA

7
8 By: 
9 President, Nevada Real Estate Commission

10 Submitted by:

11 AARON D. FORD
12 Attorney General

13 By: */s/ Karissa Neff*

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