

BEFORE THE REAL ESTATE COMMISSION  
STATE OF NEVADA

**FILED**

JUL 21 2021

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

Case No. 2020-78

REAL ESTATE COMMISSION

BY Matthew Feeley

Petitioner,

vs.

MARK DANIEL HECKERT,

Respondent.

**STIPULATION FOR SETTLEMENT OF DISCIPLINARY ACTION**

This Stipulation for Settlement of Disciplinary Action (“Stipulation”) is entered into by and between the State of Nevada, Department of Business and Industry, Real Estate Division (“Division”), through its Administrator Sharath Chandra (“Petitioner”), by and through their attorney of record, Deputy Attorney General Matthew Feeley and Mark Daniel Heckert (“RESPONDENT”).

**JURISDICTION**

RESPONDENT at all relevant times mentioned in this Complaint was licensed by the Division as a broker or broker-salesperson. 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**

1. RESPONDENT is licensed with the Division as a broker-salesperson under license BS.0064400, said license being issued on June 26, 2014, and is currently in “active” status.

2. RESPONDENT held a license issued by the Division as a broker under license B.0064400.INDV from January 10, 2005 through June 16, 2014.

3. RESPONDENT held a license with the Division as a salesperson under license S.0055021 from February 14, 2003 through January 10, 2005.

4. On January 16, 2020, the Division received information from the state of California, Department of Real Estate stating that RESPONDENT’s California Real Estate License was revoked in 2015 as the result of hearing wherein an Administrative Law Judge found that RESPONDENT had

1 been convicted of a misdemeanor and felony and RESPONDENT's failure to disclose said information  
2 on his real estate license renewal.

3 5. The Division commenced an investigation into RESPONDENT's activities in response  
4 to Complainant's complaint.

5 6. The Division found that on May 4, 2011, in El Dorado, California, RESPONDENT was  
6 convicted upon a plea of guilty of a DUI misdemeanor.

7 7. The Division found that on October 19, 2012, in El Dorado, California, RESPONDENT  
8 was convicted upon a plea of no contest of a DUI misdemeanor.

9 8. The Division found that on October 19, 2012, in El Dorado, California, RESPONDENT  
10 was convicted upon a plea of no contest to the unlawful possession of a controlled substance, a felony.

11 9. The Division found that the RESPONDENT's California Real Estate License was  
12 revoked on March 19, 2015.

13 10. The Division reviewed NRED records and found that RESPONDENT submitted a form  
14 504 Real Estate License or Permit Change form on June 25, 2014. On Section 8, Question 2, which  
15 asks "Have you been convicted of a misdemeanor, gross misdemeanor, or felony since the last renewal  
16 of your Real Estate License," RESPONDENT answered NO. This form was signed by Respondent and  
17 dated June 24, 2014.

18 11. The Division reviewed NRED records and found that RESPONDENT also submitted a  
19 form 504 Real Estate License or Permit Change form on June 26, 2014. Again, on Section 8, Question  
20 2, which asks "Have you been convicted of a misdemeanor, gross misdemeanor, or felony since the last  
21 renewal of your Real Estate License," RESPONDENT answered NO. This form was signed by  
22 Respondent and dated June 24, 2014.

23 12. The Division reviewed NRED records and found that RESPONDENT renewed his  
24 broker-salesperson license on January 25, 2016. When asked on Question 9 of the renewal form "Have  
25 you been convicted of or entered a plea of guilty, guilty but mentally ill or nolo contendere to a  
26 misdemeanor, gross misdemeanor, or felony within your renewal period," RESPONDENT answered  
27 NO.



1 terms and conditions:

- 2 a. RESPONDENT agrees to pay \$7,307.20 to the Division within four (4) months  
3 of the date of the Commission's order approving this stipulation. The amount  
4 includes a \$4,000 fine and \$3,307.20 to cover the Division's investigatory costs  
5 and fees.
- 6 b. RESPONDENT's full amount will be paid in equal monthly installments of  
7 \$1,826.80 per month to the Division for four (4) months beginning on July 1,  
8 2021. RESPONDENT may choose to pay the full amount sooner than four  
9 months.
- 10 c. RESPONDENT further agrees to complete six (6) hours of continuing education  
11 in ethics, which shall not count towards RESPONDENT's education needed for  
12 his annual license renewal. These continuing education classes are to be  
13 completed within two months of the entry of this Stipulation.
- 14 d. RESPONDENT further agrees to a one (1) year suspension of his real estate  
15 license. RESPONDENT agrees that upon the completion of the one (1) year  
16 suspension, RESPONDENT will be required to appear before the Commission  
17 and receive its approval to regain his license.

18 20. RESPONDENT and the Division agree that by entering into this Stipulation, the  
19 Division does not concede any defense or mitigation RESPONDENT may assert and that once this  
20 Stipulation is approved and fully performed, the Division will close its file in this matter. Nothing  
21 herein prevents proof and giving consideration to acts complained of in this matter in determining or  
22 penalizing a future violation by RESPONDENT of any provision of NRS Chapter 645 or NAC Chapter  
23 645.

24 21. RESPONDENT agrees and understands that by entering into this Stipulation,  
25 RESPONDENT is waiving his right to a hearing at which RESPONDENT may present evidence in his  
26 defense, his right to a written decision on the merits of the complaint, his rights to reconsideration  
27 and/or rehearing, appeal and/or judicial review, and all other rights which may be accorded by the  
28 Nevada Administrative Procedure Act, the Nevada Real Estate Brokers and Salespersons statutes and

1 accompanying regulations, and the federal and state Constitutions. RESPONDENT understands that  
2 this Agreement and other documentation may be subject to public records laws. The Commission  
3 members who review this matter for approval of this Stipulation may be the same members who  
4 ultimately hear, consider, and decide the Complaint if this Stipulation is either not approved by the  
5 Commission or is not timely performed by RESPONDENT. RESPONDENT fully understands that he  
6 has the right to be represented by legal counsel in this matter at his own expense.

7 22. Each party shall bear its or his own attorney's fees and costs, except as provided above.

8 23. Approval of Stipulation. Once executed, this Stipulation will be filed with the  
9 Commission and will be placed on the agenda for approval at its next public meeting. The Division  
10 will recommend to the Commission approval of the Stipulation. RESPONDENT agrees that the  
11 Commission may approve, reject, or suggest amendments to this Stipulation that must be accepted or  
12 rejected by RESPONDENT before any amendment is effective.

13 24. Withdrawal of Stipulation. If the Commission rejects this Stipulation or suggests  
14 amendments unacceptable to RESPONDENT, RESPONDENT may withdraw from this Stipulation,  
15 and the Division may pursue its Complaint before the Commission. This Stipulation then shall become  
16 null and void and unenforceable in any manner against either party.

17 25. Release. In consideration of the execution of this Stipulation, RESPONDENT for  
18 himself, his heirs, executors, administrators, successors, and assigns, hereby releases, remises, and  
19 forever discharges the State of Nevada, the Department of Business and Industry, and the Division, and  
20 each of their respective members, agents, employees, and counsel in their individual and representative  
21 capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions,  
22 claims, and demands whatsoever, known and unknown, in law or equity, that RESPONDENT ever had,  
23 now has, may have, or claim to have against any or all of the persons or entities named in this section,  
24 arising out of or by reason of the Division's investigation, this disciplinary action, and all other matters  
25 relating thereto.

26 26. Indemnification. RESPONDENT hereby agrees to indemnify and hold harmless the  
27 State of Nevada, the Department of Business and Industry, Petitioner, the Division, and each of their  
28 respective members, agents, employees, and counsel, in their individual and representative capacities,

1 against any and all claims, suits, and actions brought against said persons and/or entities by reason of  
2 the Division's investigation, this disciplinary action, and all other matters relating thereto, and against  
3 any and all expenses, damages, and costs, including court costs and attorney fees, which may be  
4 sustained by the persons and/or entities named in this section as a result of said claims, suits, and  
5 actions.


6 27. Default. In the event of default, RESPONDENT agrees that his license shall be  
7 immediately suspended, and the unpaid balance of the administrative fine and costs, together with any  
8 attorney's fees and costs that may have been assessed, shall be due in full to the Division within ten  
9 calendar days of the date of default. Debt collection actions for unpaid monetary assessments in this  
10 case may be instituted by the Division or its assignee.

11 28. RESPONDENT has signed and dated this Stipulation only after reading and  
12 understanding all terms herein.

13  
14 DATED this 11<sup>th</sup> day of June, 2021

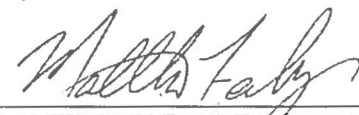
DATED this 30 day of June, 2021.

15  
16  
17 By:   
18 MARK DANIEL HECKERT

NEVADA DEPARTMENT OF BUSINESS  
& INDUSTRY, REAL ESTATE DIVISION  
19  
20 By:   
21 SHARATH CHANDRA  
22 Administrator

23 Approved as to form:

24 AARON D. FORD  
25 Attorney General

26 By:   
27 MATTHEW FEELEY (Bar #13336)  
28 Deputy Attorney General  
555 E. Washington Avenue, Suite 3900  
Las Vegas, NV 89101

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ORDER APPROVING STIPULATION

The Stipulation for Settlement of Disciplinary Action having come before the Real Estate Commission, Department of Business and Industry, State of Nevada, during its regular agenda on June 15, 2021, and the Commission being fully apprised of the terms and good cause appearing,

IT IS ORDERED that the Stipulation for Settlement of Disciplinary Action in this matter is approved in full.

This Order shall become effective on the 15<sup>th</sup> day of June, 2021.

Dated this 9<sup>th</sup> day of July, 2021.

NEVADA REAL ESTATE COMMISSION

By: *[Signature]*

[Print Name] Darrell Plummer

Commission President