

BEFORE THE REAL ESTATE COMMISSION

MAR 18 2021

STATE OF NEVADA

REAL ESTATE COMMISSION

BY *Emily Latta*

Case Nos. 2019-876 & 2019-1075

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

Petitioner,

vs.

**FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER**

JESSICA LYNN RAZZARI,

Respondent.

This matter came before the Nevada Real Estate Commission (Commission) for hearing on Wednesday, March 2, 2021, via virtual telephone and video conference. Respondent JESSICA LYNN RAZZARI (Respondent) did not appear. Deputy Attorney General, Peter K. Keegan, appeared and prosecuted the Complaint on behalf of petitioner Sharath Chandra, Administrator of the Real Estate Division, Department of Business & Industry, State of Nevada (Division).

The matter having been submitted for decision based upon the allegations of the Complaint, the Commission now enters its Findings of Fact and Conclusions of Law as follows:

I. JURISDICTION

Respondent engaged in activities which require a license as a real estate broker, real estate broker-salesperson, or real estate salesperson, and/or a permit to engage in property management, issued by the Division, and is, therefore, subject to the jurisdiction of the Division and the Commission, and the provisions of NRS and NAC 645.

II. Case No. 2019-876 – FINDINGS OF FACT

The Commission finds that there is substantial evidence in the record to establish each of the following:

- 1. The Respondent failed to appear on the date and time scheduled for this matter, as required by NAC 645.860.

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1 2. Proper notice was served upon the Respondent and Respondent's Broker in
2 accordance with NRS 645.680(5).

3 3. Respondent is currently the Broker of record for Own It Realty and Property
4 Management LLC brokerage.

5 4. On July 31, 2019, the Division received a statement of fact (Complaint)
6 complaining about unprofessional property management services provided by Respondent.

7 5. The Complaint filed against Respondent alleged that she failed to account for
8 and timely deposit rents, failed to provide receipts for repairs, failed to provide copies of
9 rental agreements, and failed to have the units cleaned prior to turnover.

10 6. On August 5, 2019, the Division sent an investigation-opening letter to
11 Respondent via email.

12 7. The August 5, 2019 investigation-opening letter required Respondent to
13 provide a sworn statement responding to the Complaint involving the properties located at
14 900 S. Meadows Pkwy. #4412/4813, Reno, Nevada (the Properties) by August 19, 2019.

15 8. The Division received a delivery confirmation for the email sent to Respondent
16 on August 5, 2019.

17 9. On September 3, 2019, a follow-up email was sent to the Respondent and the
18 deadline to respond was extended to September 9, 2019.

19 10. The Division received delivery confirmation for the email sent to Respondent
20 on September 3, 2019.

21 11. On September 10, 2019, the Division sent a second follow-up letter via
22 certified mail to the Respondent because the Division had not received a timely affidavit
23 response to its prior investigation-opening communications.

24 12. The September 10, 2019, follow-up letter extended Respondent's response
25 deadline to September 20, 2019.

26 13. The Division received a delivery confirmation receipt for the certified mailing
27 that was signed on September 11, 2019, by Jan Clark.

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1 14. On December 3, 2019, the Division sent Respondent an NRS 233B letter
2 indicating that the Division's investigation had obtained sufficient evidence to commence
3 disciplinary action by filing a complaint with the Nevada Real Estate Commission
4 (Commission).

5 15. Respondent is a licensed Broker under license B.1001106.LLC and holds a
6 Property Management Permit under permit PM.0163844.BKR.

7 16. On October 2, 2018, the complainant emailed Respondent asking for an
8 explanation why he had not received the September rents for the Properties.

9 17. On November 1, 2018, the complainant emailed Respondent asking for the
10 rents received for the Properties for October to be deposited into his account.

11 18. On November 2, 2018, the complainant emailed Respondent and stated he
12 still had not received the October rents for the Properties.

13 19. On February 22, 2019, the complainant emailed Respondent and stated he
14 had not yet received the February rents for the Properties.

15 20. On February 25, 2019, the complainant emailed Respondent and stated he
16 had not yet received the February rents for the Properties.

17 21. On February 26, 2019, the complainant emailed Respondent and stated he
18 had not yet received the February rents for the Properties.

19 22. On February 26, 2019, the Respondent emailed the complainant and stated
20 she would be willing "to move the tenant" she had "to another unit" and let the Respondent
21 find another management company to "take care of" the Properties.

22 23. On March 1, 2019, the complainant emailed the Respondent and stated he
23 still had not received the February rents for the Properties.

24 24. On March 13, 2019, the complainant emailed the Respondent and informed
25 her that he was terminating her as the Property Manager for the Properties.

26 25. Upon transfer of the Property Management responsibilities, the Respondent
27 provided incorrect keys to the Properties to the new Property Manager.

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1 **III. Case No. 2019-876 – CONCLUSIONS OF LAW**

2 The Commission, based upon the preponderance of the evidence, makes the following
3 legal conclusions:

4 1. At the March 2, 2021 Commission hearing, Default was entered against the
5 Respondent pursuant to NAC 645.860 and the charges in the Complaint and Notice of
6 Hearing, and recited herein, are considered true.

7 2. Respondent violated NRS 645.630(1)(f) by failing to, within a reasonable time,
8 remit to the complainant the rents she collected for the Properties.

9 3. Respondent violated NRS 645.633(1)(h) for gross negligence or incompetence for
10 delivering incorrect keys for the Properties in question to the new property manager.

11 4. Respondent violated NRS 645.633(1)(h) pursuant to NAC 645.605(6) for failing
12 to deal fairly with the complainant when she suggested she could move his tenant from one
13 of the Properties in question to another property she managed.

14 **IV. Case No. 2019-1075 – FINDINGS OF FACT**

15 The Commission finds that there is substantial evidence in the record to establish
16 each of the following:

17 1. The Respondent failed to appear on the date and time scheduled for this
18 matter, as required by NAC 645.860.

19 2. Proper notice was served upon the Respondent and Respondent's Broker in
20 accordance with NRS 645.680(5).

21 3. On September 24, 2019, the Division sent Respondent a Notice of Violation
22 with Imposition of Administrative Fine in the amount of \$500.00, pursuant to NRS
23 645.633(1)(h) and NAC 645.605(11)(b), for failing to provide a response to the Division's
24 August 5, 2019, investigation-opening letter in Case No. 2019-876.

25 4. Payment of the administrative fine imposed by the September 24, 2019 Notice
26 of Violation with Imposition of Administrative Fine was due on October 24, 2019.

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1 5. The Division received a delivery confirmation receipt for the September 24,
2 2019 Notice of Violation with Imposition of Administrative Fine signed on October 2, 2019,
3 by Jan Clark.

4 6. As of the date of this Complaint, the Respondent had not responded to the
5 Division's communications or paid the administrative fine.

6 7. On December 3, 2019, the Division sent Respondent an NRS 233B letter
7 indicating that the Division's investigation had obtained sufficient evidence to commence
8 disciplinary action by filing a complaint with the Nevada Real Estate Commission
9 (Commission).

10 **V. Case No. 2019-1075 – CONCLUSIONS OF LAW**

11 The Commission, based upon the preponderance of the evidence, makes the following
12 legal conclusions:

13 1. At the March 2, 2021 Commission hearing, Default was entered against the
14 Respondent pursuant to NAC 645.860 and the charges in the Complaint and Notice of
15 Hearing, and recited herein, are considered true.

16 2. Respondent violated NRS 645.633(1)(h) pursuant to NAC 645.605(11)(a) & (b)
17 and/or NRS 645.635(6) for failing to respond to the Division's request for a written response
18 to the complaint against her and for failing to provide complete copies of the transaction
19 files for the Properties.

20 **VI. Case Nos. 2019-876 & 2019-1075 – ORDER**

21 IT IS HEREBY ORDERED that Respondent shall pay to the Division a total penalty
22 of \$41,804.24. The total penalty reflects a fine of \$40,000.00, comprised of \$10,000.00 per
23 violation. The total penalty also reflects \$1,804.24 for hearing and investigative costs.
24 Respondent shall pay the total fine to the Division within one hundred and twenty (120)
25 days of the effective date of this Order.

26 IT IS FUTHER ORDERED that Respondent's real estate licenses and permits are
27 hereby revoked.

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1 If the payment is not actually received by the Division on or before its due date, it
2 shall be construed as an event of default by Respondent. In the event of default, the unpaid
3 balance of the administrative fine and costs, together with any attorney's fees and costs
4 that may have been assessed, shall be due in full to the Division within ten (10) calendar
5 days of the date of default. The Division may institute debt collection proceedings for
6 failure to timely pay the total fine.

7 The Commission retains jurisdiction for correcting any errors that may have
8 occurred in the drafting and issuance of this Decision.

9 This Order shall become effective on the 17th day of April, 2021.

10 DATED this 18th day of March, 2021.

11 REAL ESTATE COMMISSION
12 STATE OF NEVADA

13 By: 
14 President, Nevada Real Estate Commission

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