

BEFORE THE REAL ESTATE COMMISSION

FILED

STATE OF NEVADA

NOV 12 2021

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

Case No. 2018-996

REAL ESTATE COMMISSION
BY *Early Patten*

Petitioner,

vs.

JOELLE N. DAIGNEAU,

Respondent.

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 Virginia T. Tomova, Deputy Attorney General, hereby notifies RESPONDENT JOELLE N. DAIGNEAU ("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, NRS 645.235 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 and also held a property management permit from the Division. She is therefore subject to the jurisdiction of the Division and the Commission and the provisions of NRS chapter 645 and NAC chapter 645.

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1 **FACTUAL ALLEGATIONS**

2 1. RESPONDENT was licensed by the Division as a real estate salesperson, under license
3 S.0173876 and holds a property management permit from the Division under PM.0166620, both of which
4 are in "closed" status.

5 2. At all relevant times mentioned in this Complaint, RESPONDENT's broker was Tammy
6 Abbot of Results Realty.

7 3. On or around July 23, 2018, Michael Duran ("Duran"), also a Nevada real estate licensee,
8 filed a complaint with the Division against RESPONDENT arising from his lease of residential real
9 property located at 1863 Vista Point Avenue in Henderson, Nevada 89012 ("Property") that was managed
10 by Results Realty.

11 4. Based on Duran's complaint, the Division opened an investigation against
12 RESPONDENT.

13 5. Following the Division's investigation, on or about October 15, 2018, the Division
14 properly notified the RESPONDENT that she had violated NRS 645.633(1)(i) (engaging in conduct
15 which constitutes deceitful, fraudulent, or dishonest dealings) and imposed an administrative fine of
16 \$1,000.00.

17 6. RESPONDENT was required to pay the administrative fine to the Division by November
18 16, 2018.

19 7. RESPONDENT failed to timely pay the fine or appeal it.

20 8. To date, RESPONDENT has failed to pay the administrative fine.

21 9. On December 23, 2018, the Division properly notified RESPONDENT it was bringing a
22 disciplinary action against her by filing a complaint before the Commission for hearing.

23 **VIOLATIONS**

24 RESPONDENT committed the following violations of law:

25 10. RESPONDENT violated NRS 645.647(2) by failing to pay the \$1,000.00 fine to the
26 Division which provides grounds for the Commission to refuse to renew or revoke any license or permit
27 RESPONDENT holds from the Division.

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1 **DISCIPLINE AUTHORIZED**

2 11. 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.

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

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

10 **NOTICE OF HEARING**

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

14 **THE HEARING WILL TAKE PLACE** on December 14, 2021, commencing at 9:00 a.m.,
15 or as soon thereafter as the Commission is able to hear the matter, and each day thereafter
16 commencing at 9:00 a.m. through December 16, 2021, or earlier if the business of the Commission
17 is concluded. The Commission meeting will be held on December 14, 2021, at the Nevada State
18 Business Center, 3300 West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102.
19 The meeting will continue on December 15, 2021, at the Nevada State Business Center, 3300 West
20 Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102, commencing at 9:00 a.m.,
21 and on December 16, 2021, should business not be concluded, starting at 9:00 a.m. at the Nevada
22 State Business Center, 3300 West Sahara Avenue, 4th Floor – Tahoe Room, Las Vegas, Nevada
23 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 December 14,
26 2021, through December 16, 2021, or earlier if the business of the Commission is concluded. Thus,
27 your hearing may be continued until later in the day or from day to day. It is your responsibility
28 to be present when your case is called. If you are not present when your hearing is called, a default

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

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.

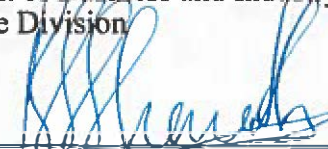
20 The purpose of the hearing is to determine if the RESPONDENT has violated NRS 645 or NAC
21 645 and if the allegations contained herein are substantially proven by the evidence presented and to

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1 further determine what administrative penalty, if any, is to be assessed against the RESPONDENT,
2 pursuant to NRS 645.630, NRS 645.633, NRS 645.235 or NRS 645.230.

3 DATED this 7 day of November, 2021.

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

7 By: 
8 SHARATH CHANDRA, Administrator
9 3300 West Sahara Avenue, Suite 350
10 Las Vegas, Nevada 89102

11 AARON D. FORD
12 Attorney General

13 By: /s/ Virginia T. Tomova
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