

BEFORE THE REAL ESTATE COMMISSION

FILED

STATE OF NEVADA

SEP 23 2021

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

Case No. 2019-521

REAL ESTATE COMMISSION

BY *Evelyn Patten*

Petitioner,

vs.

JULES MITCHELL LEHR,

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 June 15, 2021, and was then continued to its regular agenda set for a three-day stack commencing September 14, 2021 (the "Hearing"). RESPONDENT Jules Mitchell Lehr ("RESPONDENT") appeared at the Hearing along with his counsel, Kathryn Holbert, Esq. 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 at all relevant times mentioned in this Complaint was licensed as a real estate salesperson by the Division, and, although not holding a permit to manage property issued by the Division, conducted activities for which such a permit is required. He 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 the vote that carried, enters the finding of the following facts:

1           1.       RESPONDENT has been licensed by the Division as a real estate salesperson,  
2 S.0174507. At all relevant times mentioned in this Complaint, RESPONDENT was under the broker  
3 American Realty Properties, LLC. His most recent broker is Sin City Realty, LLC.

4           2.       On or about May 18, 2018, Edward Labate electronically signed, as tenant (“the  
5 tenant”), a multi-year Residential Lease Agreement (the Agreement) prepared by RESPONDENT for  
6 4350 Newview Circle, Las Vegas, NV 89103 (4350 Newview).

7           3.       Under the Agreement RESPONDENT presented to the tenant, the tenant paid initial  
8 costs, charges and deposits on the tenancy in the amount of \$3,500.

9           4.       RESPONDENT provided the owner, Xinfeng Li (“the owner”), a different version of the  
10 Agreement, which only required tenant to pay the owner initial costs, charges and deposits of only  
11 \$2,000.

12          5.       In the course of the Division’s investigation, RESPONDENT denied drafting the  
13 Agreement, claiming instead that the owner drafted it.

14          6.       RESPONDENT denied doing any property management at Newview.

15          7.       However:

- 16           a.       RESPONDENT collected the initial costs, charges and deposits in the amount of  
17               \$3,500 from the tenant, including the \$1,500 excess over what the owner was  
18               due under the owner’s version of the Agreement.
- 19           b.       RESPONDENT intended the \$1,500 or other valuable consideration as fees for  
20               his management services.
- 21           c.       The Agreement provided that “agent jules lehr (sic) is to assist owner to make  
22               necessary repairs and cleaning and furnish oven before tennant (sic) moves in.”
- 23           d.       RESPONDENT has in fact claimed he did cleaning and landscaping at and  
24               provided a stove to 4350 Newview.
- 25           e.       RESPONDENT had previously signed a stipulation to settle a matter brought  
26               before the Commission which matter involved two occasions of managing  
27               property without a permit.
- 28

1 8. RESPONDENT misrepresented to the Division investigator that he received no pay for  
2 the transaction, having received the \$1,500 or other consideration.

3 9. RESPONDENT failed to turn over the \$1,500 or other consideration in his possession  
4 and legally due another until nearly a year later, after the tenant complained about it and threatened to  
5 expose RESPONDENT.

6 10. After requesting and being granted an extension of time to respond to the complaint,  
7 RESPONDENT delayed nearly two weeks beyond the extended deadline to respond to the Division's  
8 request.

9 **VIOLATIONS OF LAW**

10 Based on the foregoing findings of fact, the Commission concludes, by the vote that  
11 carried, that RESPONDENT committed the following violations of law:

12 11. RESPONDENT violated NRS 645.235(1)(b) by engaging or offering to engage in an  
13 activity for which a property management permit issued by the Division is required, without an active  
14 permit in place.

15 12. RESPONDENT violated NRS 645.630(1)(a) (making a material misrepresentation),  
16 NRS 645.321 or NRS 645.633(1)(i), pursuant to NAC 645.605(1) (conduct which constitutes deceitful,  
17 dishonest or fraudulent dealing) by misrepresenting the terms of the Agreement to the owner and the  
18 tenant.

19 13. RESPONDENT violated NRS 645.633(1)(i) pursuant to NAC 645.605(11)(a) (failing  
20 to comply or delaying compliance with a request by the Division to provide documents) by not  
21 providing a response to the complaint within the time permitted.

22 14. RESPONDENT violated NRS 645.630(f) (failing, within a reasonable time, to  
23 account for or to remit any money which belongs to others), by failing to pay over the \$1,500 or other  
24 consideration within a reasonable time.

25 15. RESPONDENT violated NRS 645.633(1)(i) pursuant to NAC 645.605(11)(c)  
26 (supplying false information to an investigator, auditor or any other officer of the Division), specifically  
27 by stating to the Division's investigator that he did not prepare the Agreement or that he received no  
28 consideration under the agreement.

1 **ORDER**

2 1. RESPONDENT shall pay the Division's costs in this matter in the amount of \$3,092.04 to  
3 the Division ("Amount Due"). The Amount Due shall be payable to the Division within 60 days of the  
4 effective date of this Order.

5 2. Any and all licenses issued by the Division held by RESPONDENT are hereby revoked.  
6 Should RESPONDENT desire to become licensed again with the Division, and provided that  
7 RESPONDENT has paid the Amount Due to the Division, RESPONDENT shall be required to submit  
8 a new application to the Division and comply with all Division requirements. Any such application for  
9 licensure shall be deferred to the Commission for its determination of whether or not to approve  
10 RESPONDENT's application for licensure.

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

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

16 5. This order shall become effective on the 23<sup>rd</sup> day of October, 2021.

17 DATED this 23<sup>rd</sup> day of September, 2021.

18  
19 REAL ESTATE COMMISSION  
20 STATE OF NEVADA

21 By:   
22 President, Nevada Real Estate Commission

23 Submitted by:

24 AARON D. FORD  
25 Attorney General

26 By: /s/ Karissa Neff

27 \_\_\_\_\_  
28 KARISSA D. Neff, Esq.  
Senior Deputy Attorney General

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