

BEFORE THE REAL ESTATE COMMISSION
STATE OF NEVADA

FILED

NOV 12 2021

REAL ESTATE COMMISSION

BY *Emily Patta*

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

Case No. 2020-169

Petitioner,

vs.

GREGORY NAVONE,

Respondent.

COMPLAINT AND NOTICE OF HEARING

The REAL ESTATE DIVISION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY OF THE STATE OF NEVADA ("Division") hereby notifies RESPONDENT GREGORY NAVONE ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION ("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 645.630, NRS 622.400 and/or NAC 645.695 and the discipline to be imposed, if violations of law are proven.

JURISDICTION

RESPONDENT was at all relevant times mentioned in this Complaint licensed as a Broker under license number B.1000580.INDV and 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 failed to submit Form 546-A Affidavit in lieu of 546 on or before January 31, 2020.
2. Pursuant to NAC 645.806(3), if a real estate broker is not required to provide a reconciliation to the Division pursuant to subsection 1, such as Form 546, the broker shall provide to the Division, on a form prescribed by the Division, a declaration to inform the Division that the broker is not

1 required to provide a reconciliation of trust accounts, and that declaration form must be submitted to the
2 Division annually by the expiration date of the license of the broker.

3 3. Form 546-A, the Affidavit in lieu of Form 546, is sworn statement submitted by a broker
4 stating he/she has not received any monies belonging to others as described in NRS 645.310.4 within the
5 past year of the anniversary of the expiration of his/her broker's license.

6 4. RESPONDENT was issued a Notice of Violation on February 21, 2020 that required
7 Respondent to remit the Administrative fine of \$250.00 and form 546-A Affidavit in lieu of 546 on or
8 before March 23, 2020.

9 5. On May 14, 2020, RESPONDENT was notified by Chief Investigator Jan Holle that the
10 administrative fine of \$250.00 and Form 546-A Affidavit in lieu of Form 546 were past due.

11 6. RESPONDENT failed to provide any response to the Division.

12 7. On July 8, 2020, the Division notified Respondent that this case would be sent to the
13 Nevada Real Estate Commission for hearing.

14 VIOLATIONS OF LAW

15 8. RESPONDENT violated NAC 645.806(3) by failing to provide a declaration to inform
16 the Division that the broker is not required to provide a reconciliation of trust accounts by the annual
17 expiration of his real estate broker's license.

18 9. RESPONDENT violated NRS 645.647 by failing to pay the \$250.00 administrative fine
19 assessed against him.

20 DISCIPLINE AUTHORIZED

21 Pursuant to NAC 645.695, the Commission is empowered to suspend, revoke or place conditions
22 on RESPONDENT'S license or require RESPONDENT to complete continuing education, or any
23 combination of such actions.

24 Pursuant to NRS 645.630, the Commission is empowered to impose an administrative fine up to
25 \$10,000 per violation and suspend, revoke or place conditions on RESPONDENT'S license if warranted.

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

1 Therefore, the Division requests that the Commission take such disciplinary action as it deems
2 appropriate under the circumstances.

3 **NOTICE OF HEARING**

4 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider the
5 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and
6 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

7 **THE HEARING WILL TAKE PLACE** on December 14, 2021 commencing at
8 **9:00 a.m.**, or as soon thereafter as the Commission is able to hear the matter, and
9 **each day thereafter commencing at 9:00 a.m.** through December 16, 2021 or
10 **earlier if the business of the Commission is concluded.** The Commission meeting
11 **will be held on December 14, 2021, at the Nevada State Business Center, 3300 West**
12 **Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102.** The meeting
13 **will continue on December 15, 2021 at the Nevada State Business Center, 3300**
14 **West Sahara Avenue, 4th Floor – Nevada Room, Las Vegas, Nevada 89102,**
15 **commencing at 9:00 a.m., and on December 16, 2021, should business not be**
16 **concluded, starting at 9:00 a.m. at the Nevada State Business Center, 3300 West**
17 **Sahara Avenue, 4th Floor – Tahoe Room, Las Vegas, Nevada 89102**

18 **STACKED CALENDAR:** Your hearing is one of several hearings scheduled
19 **at the same time as part of a regular meeting of the Commission that is expected**
20 **to last from December 14, 2021, through December 16, 2021, or earlier if the**
21 **business of the Commission is concluded. Thus, your hearing may be continued**
22 **until later in the day or from day to day. It is your responsibility to be present**
23 **when your case is called. If you are not present when your hearing is called, a**
24 **default may be entered against you and the Commission may decide the case as**
25 **if all allegations in the complaint were true. If you have any questions please**
26 **call Evelyn Pattee, Commission Coordinator (702) 486-4074.**

27 **YOUR RIGHTS AT THE HEARING:** except as mentioned below, the hearing is an open meeting
28 under Nevada's open meeting law and may be attended by the public. After the evidence and arguments,

1 the commission may conduct a closed meeting to discuss your alleged misconduct or professional
2 competence. A verbatim record will be made by a certified court reporter. You are entitled to a copy of
3 the transcript of the open and closed portions of the meeting, although you must pay for the transcription.

4 As the Respondent, you are specifically informed that you have the right to appear and be heard
5 in your defense, either personally or through your counsel of choice. At the hearing, the Division has the
6 burden of proving the allegations in the complaint and will call witnesses and present evidence against
7 you. You have the right to respond and to present relevant evidence and argument on all issues involved.
8 You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing
9 witnesses on any matter relevant to the issues involved.

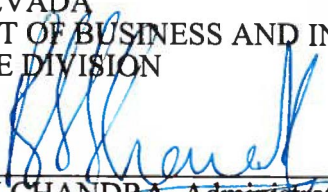
10 You have the right to request that the Commission issue subpoenas to compel witnesses to testify
11 and/or evidence to be offered on your behalf. In making the request, you may be required to demonstrate
12 the relevance of the witness' testimony and/or evidence. Other important rights you have are listed in
13 NRS 645.680 through 645.990, NRS Chapter 233B, and NAC 645.810 through 645.875.

14 The purpose of the hearing is to determine if the Respondent has violated NRS 645 and/or NAC 645 and
15 if the allegations contained herein are substantially proven by the evidence presented and to further
16 determine what administrative penalty is to be assessed against the RESPONDENT, if any, pursuant to
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1 NRS 645.235, 645.633 and or 645.630.

2 DATED this 9 day of November, 2021.

3 STATE OF NEVADA
4 DEPARTMENT OF BUSINESS AND INDUSTRY
5 REAL ESTATE DIVISION

6 By: 
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12 By: /s/ Susan L. Valladolid
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