

FILED

JAN 29 2021

REAL ESTATE COMMISSION
BY *Emily Patten*

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

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

Case No. 2018-1280

Petitioner,

vs.

NGA DIEP,

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 Robert E. Werbicky, Deputy Attorney General, hereby notifies RESPONDENT NGA DIEP ("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 645.230, NRS 645.235, NRS 645.633, NRS 645.630 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 conducted activities for which a license or permit is required by NRS Chapter 645 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 was licensed by the Division as a Broker, B.1001692.LLC, on January 1, 2017 and has operated as Newmarket Realty Group LLC.

1 2. RESPONDENT was permitted by the Division as a Property Manager, PM.0163925.BKR
2 on December 9, 2015.

3 3. The Property Manager permit, PM.0163925.BKR, expired on December 31, 2016.

4 4. On November 26, 2018 the Division sent RESPONDENT a Cease and Desist Order
5 regarding unlicensed activity as a property manager.

6 5. On December 18, 2018 RESPONDENT obtained a new Property Manager permit from
7 the Division, PM.0167405.BKR.

8 6. RESPONDENT was not permitted as a Property Manager from January 1, 2017 through
9 December 17, 2018.

10 7. RESPONDENT performed services which required an active property management
11 permit during the time RESPONDENT was unlicensed on the following properties:

12 1. 9728 Fast Elk St. Las Vegas, NV 89143:

13 The Property Management Agreement (“P/M/A”) was signed on January 01, 2016 and the
14 property was leased from August 01, 2016 to July 31, 2017 and September 15, 2017 to
15 September 30, 2018. RESPONDENT received \$2,224.18 for property management services
16 during the time RESPONDENT was not permitted as a property manager.

17 2. 9312 Lady Finger Ct. Las Vegas, NV 89149:

18 The P/M/A was signed on January 01, 2016 and the property was leased from May 01, 2016
19 to April 30, 2019. RESPONDENT received \$1,140.80 for property management services
20 during the time RESPONDENT was not permitted as a property manager.

21 3. 4808 W Shelborne Ave., Las Vegas, NV 89139:

22 The P/M/A was signed on February 01, 2016 and the property was leased from October 01,
23 2018 to March 31, 2019. RESPONDENT received \$184.00 for property management
24 services during the time RESPONDENT was not permitted as a property manager.

25 4. 9095 Secret Valley St., Las Vegas, NV 89139:

26 The P/M/A was signed on January 01, 2016 and the property was leased from January 26,
27 2016 to February 28, 2019. RESPONDENT received \$1,030.00 for property management
28 services during the time RESPONDENT was not permitted as a property manager.

1 5. 12371 Mosticone Way, Las Vegas, NV 89141:

2 The P/M/A signed on January 01, 2016 and the property leased from February 29, 2016 to
3 February 28, 2017. RESPONDENT received \$312.00 for property management services
4 during the time RESPONDENT was not permitted as a property manager.

5 6. 9541 Golden Scots Ct., Las Vegas, NV 89123:

6 The P/M/A was signed on January 01, 2016, and the property leased from May 13, 2016 to
7 May 31, 2018. The property was leased again from June 26, 2018 to June 30, 2019.
8 RESPONDENT received \$2,223.60 for property management services during the time
9 RESPONDENT was not permitted as a property manager.

10 7. 9102 Landons Point Ct., Las Vegas, NV 89148:

11 The P/M/A was signed on January 01, 2016, and the property leased from January 24, 2016
12 to January 31, 2020. RESPONDENT received \$2,313.60 for property management services
13 during the time RESPONDENT was not permitted as a property manager.

14 8. 9081 Toast Ave., Las Vegas, NV 89148:

15 The P/M/A was signed on January 01, 2016, and the property leased from April 13, 2016 to
16 April 30, 2017. The property was leased again from November 18, 2018 to November 30,
17 2018. RESPONDENT received \$1,753.60 for property management services during the time
18 RESPONDENT was not permitted as a property manager.

19 9. 9266 Pembroke Falls, Las Vegas, NV 89148:

20 The P/M/A was signed on February 01, 2016, and the property was leased from July 23, 2018
21 to July 31, 2019. RESPONDENT received \$390.60 for property management services during
22 the time RESPONDENT was not permitted as a property manager.

23 10. 9070 Vintage Wine Ave., Las Vegas, NV 89148:

24 The P/M/A was signed on January 01, 2016 and the property was leased from August 03,
25 2016 to August 31, 2019. RESPONDENT received \$2,520.00 for property management
26 services during the time RESPONDENT was not permitted as a property manager.

27 11. 9066 Burning Sun, Las Vegas, NV 89178:

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1 The P/M/A was signed on February 01, 2016, and the property leased from April 01, 2016 to
2 August 31, 2019. RESPONDENT received \$1,824.20 for property management services
3 during the time RESPONDENT was not permitted as a property manager.

4 12. 7912 Hilliard Ave., Las Vegas, NV 89128:

5 The P/M/A was signed on May 09, 2017, and the property leased from May 22, 2017 to May
6 31, 2018. RESPONDENT received \$1,571.64 for property management services during the
7 time RESPONDENT was not permitted as a property manager.

8 13. 7560 Rustic Galleon St., Las Vegas, NV 89139:

9 The P/M/A was signed on January 01, 2016, and the property leased from October 11, 2016
10 to October 31, 2017. The property was leased again from December 10, 2017 to December
11 31, 2018 for \$1,495.00. RESPONDENT received \$2,595.20 for property management
12 services during the time RESPONDENT was not permitted as a property manager.

13 14. 8831 Palm Creek Ct., Las Vegas, NV 89139:

14 The P/M/A was signed on February 01, 2016, and the property leased from March 01, 2016
15 to March 31, 2019. RESPONDENT received \$2,098.60 for property management services
16 during the time RESPONDENT was not permitted as a property manager.

17 15. 7812 Milkweed Ct., Las Vegas, NV 89149:

18 The P/M/A was signed on February 01, 2016, and the property leased from February 21, 2017
19 to February 28, 2018. RESPONDENT received \$1,057.80 for property management services
20 during the time RESPONDENT was not permitted as a property manager.

21 16. 7449 Missions Palms St., Las Vegas, NV 89139:

22 The P/M/A was signed on January 01, 2016, and the property leased from December 01, 2016
23 to June 30, 2019. RESPONDENT received \$2,828.00 for property management services
24 during the time RESPONDENT was not permitted as a property manager.

25 17. 5147 Silent Valley Ave., Las Vegas, NV 89139:

26 The P/M/A was signed on January 01, 2016, and the property leased from August 01, 2016 to
27 July 31, 2017 for \$1,295.00. RESPONDENT received \$634.55 for property management
28 services during the time RESPONDENT was not permitted as a property manager.

1 18. 7388 Howell Mill Ct., Las Vegas, NV 89113:

2 The P/M/A was signed on January 01, 2016 and the property leased from February 11, 2017
3 to February 28, 2019. RESPONDENT received \$2,415.34 for property management services
4 during the time RESPONDENT was not permitted as a property manager.

5 19. 6737 Charleston Blvd #4, Las Vegas, NV 89146:

6 The P/M/A was signed on August 01, 2018, and the property leased from August 01, 2018 to
7 July 31, 2019 for \$850.00 per month. RESPONDENT received \$225.00 for property
8 management services during the time RESPONDENT was not permitted as a property
9 manager.

10 20. 5090 Upper Falls Ct., Las Vegas, NV 89141:

11 The P/M/A was signed on February 01, 2016, and the property leased from September 29,
12 2016 to November 30, 2018. RESPONDENT received \$2,852.00 for property management
13 services during the time RESPONDENT was not permitted as a property manager.

14 21. 4808 W. Shelbourne Ave., Las Vegas, NV 89139:

15 The P/M/A was signed on January 01, 2016, and the property leased from October 01, 2018
16 to March 31, 2019. RESPONDENT received \$161.00 for property management services
17 during the time RESPONDENT was not permitted as a property manager.

18 22. 7257 Linaria, Las Vegas, NV 89113:

19 The P/M/A was signed on February 1, 2016, and the property leased from March 1, 2017 to
20 February 28, 2018. RESPONDENT received \$987.00 for property management services
21 during the time RESPONDENT was not permitted as a property manager.

22 23. 6188 Mountain Hemlock Ave., Las Vegas, NV 89139:

23 The P/M/A was signed on February 01, 2016, and the property leased from June 23, 2016 to
24 June 30, 2019. RESPONDENT received \$1,024.80 for property management services during
25 the time RESPONDENT was not permitted as a property manager.

26 24. 5025 Aesop Ave., Las Vegas, NV 89139:

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1 The P/M/A was signed on January 01, 2016, and the property leased from February 01, 2017
2 August 31, 2019. RESPONDENT received \$1,678.95 for property management services
3 during the time RESPONDENT was not permitted as a property manager.

4 25. 4811 Saputo Ave. Las Vegas, NV 89141:

5 The P/M/A was signed on January 01, 2016, and the property leased on July 11, 2017 to June
6 30, 2019. RESPONDENT received \$1,771.20 for property management services during the
7 time RESPONDENT was not permitted as a property manager.

8 26. 6070 Villa Lante Ave., Las Vegas, NV 89113:

9 The P/M/A was signed on February 01, 2016, and the property leased from May 26, 2016 to
10 May 31, 2018. The property was leased again from July 13, 2018 to July 31, 2019.
11 RESPONDENT received \$2,372.65 for property management services during the time
12 RESPONDENT was not permitted as a property manager.

13 27. 4712 Chantilly Ave., Las Vegas, NV 89110:

14 The P/M/A was signed on February 01, 2016, and the property leased from April 01, 2016 to
15 March 31, 2017. RESPONDENT received \$225.00 for property management services during
16 the time RESPONDENT was not permitted as a property manager.

17 28. 3121 Alcoa Ave., Las Vegas, NV 89102:

18 The P/M/A was signed on April 26, 2017, and the property leased from June 01, 2017 to May
19 31, 2019. RESPONDENT received \$1,512.00 for property management services during the
20 time RESPONDENT was not permitted as a property manager.

21 29. 1112 Torington Dr., Las Vegas, NV 89108:

22 The P/M/A was signed and dated for February 01, 2017, and the property leased from April
23 15, 2017. The property was leased again from January 23, 2018 to February 28, 2019.
24 RESPONDENT received \$1,036.00 for property management services during the time
25 RESPONDENT was not permitted as a property manager.

26 30. 2130 Sealion Dr. Unit 205, Las Vegas, NV 89128:

27 The P/M/A was signed on May 03, 2017, and the property leased from April 21, 2016 to April
28 30, 2017. The property was leased again on May 22, 2017 to May 31, 2018. RESPONDENT

1 received \$1,212.00 for property management services during the time RESPONDENT was
2 not permitted as a property manager.

3 31. 2625 Red Rock Unit 101, Las Vegas, NV 89146:

4 The P/M/A was signed on April 28, 2018, and the property leased from May 01, 2018 to April
5 30, 2019. RESPONDENT received \$450.00 for property management services during the
6 time RESPONDENT was not permitted as a property manager.

7 32. 3368 Cheyenne Gardens Wy., North Las Vegas, NV 89032:

8 The P/M/A was signed on July 01, 2017, and the property leased from August 01, 2017 to
9 August 31, 2019. RESPONDENT received \$1,290.00 for property management services
10 during the time RESPONDENT was not permitted as a property manager.

11 33. 544 Mayfair walk Ave., Las Vegas, NV 89178:

12 The P/M/A was signed on January 01, 2016, and the property leased from May 05, 2016 to
13 April 30, 2017. RESPONDENT received \$300.00 for property management services during
14 the time RESPONDENT was not permitted as a property manager.

15 34. 4691 Deer Forest Ave., Las Vegas, NV:

16 The P/M/A was signed on February 01, 2016, and the property leased from April 04, 2016 to
17 October 18, 2018. RESPONDENT received \$2,564.45 for property management services
18 during the time RESPONDENT was not permitted as a property manager.

19 35. 4140 Gannet Cir., #256, Las Vegas, NV 89103:

20 The P/M/A was signed on August 01, 2018, and the property leased from August 10, 2018 to
21 October 31, 2019. RESPONDENT received \$200.00 for property management services
22 during the time RESPONDENT was not permitted as a property manager.

23 36. 5000 Red Rock St #117, Las Vegas, NV 89118:

24 The P/M/A was signed on February 09, 2018, and the property leased from March 01, 2018
25 to February 28, 2019. RESPONDENT received \$675.00 for property management services
26 during the time RESPONDENT was not permitted as a property manager.

27 37. 3837 Intermezzo Way., Las Vegas, NV. 89032:

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1 The P/M/A was signed on January 01, 2016, and the property leased from May 26, 2016 to
2 May 31, 2017. RESPONDENT received \$460.00 for property management services during
3 the time RESPONDENT was not permitted as a property manager.

4 38. 7912 Hilliard Ave., Las Vegas, NV 89128:

5 The P/M/A was signed on May 09, 2017, and the property leased from May 22, 2017 to May
6 31, 2018. RESPONDENT received \$1,531.20 for property management services during the
7 time RESPONDENT was not permitted as a property manager.

8 8. RESPONDENT received a total of \$48,658.96 in compensation for performing
9 property management services during the period in which RESPONDENT was not licensed as a property
10 manager.

11 VIOLATIONS

12 RESPONDENT has committed the following violations of law:

13 9. RESPONDENT violated NRS 645.230(1)(b) 38 times by knowingly engaging the
14 business of, acting in the capacity of, advertising or assuming to act as a property manager within the
15 State of Nevada without first obtaining the appropriate permit to engage in property management from
16 the Real Estate Division.

17 DISCIPLINE AUTHORIZED

18 10. Pursuant to NRS 645.230 and NRS 645.235, the Commission is empowered to impose
19 an administrative fine per violation against RESPONDENT that may not exceed the amount of any gain
20 or economic benefit that the person derived from the violation or \$5,000 per violation, whichever is
21 greater.

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

25 12. Therefore, the Division requests that the Commission take such disciplinary action as
26 it deems appropriate under the circumstances.

1 **NOTICE OF HEARING**

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

5 **THE HEARING WILL TAKE PLACE** at the Commission meeting scheduled for March 2-
6 4, 2021, beginning at approximately 9:00 a.m. each day, or until such time as the Commission
7 concludes its business.

8 If the Governor's Emergency Directive 006 - suspending physical location requirements - is
9 extended through the date of the meeting, then the hearing will be held via virtual meeting. The
10 Commission uses WebEx for its meetings. To join the hearing go to the Webex.com website and put
11 in the Access code and Attendee ID:

12 **TUESDAY, MARCH 2, 2021** Meeting number (Access code): 146 676 5037

13 Password (Attendee ID): MmWZJAfa752 (66995232752 from phones and video systems)

14 **WEDNESDAY, MARCH 3, 2021** Meeting number (Access code): 146 959 4482

15 Password (Attendee ID): qPvqu3Jm2R5 (77878356275 from phones and video systems)

16 **THURSDAY, MARCH 4, 2021** Meeting number (Access code): 146 731 0977

17 Password (Attendee ID): vRfvSmer725 (87387637725 from phones and video systems)

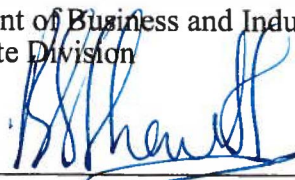
18 If you do not have internet access, you may attend by phone at 1-844-621-3956 using the access
19 codes and attendee IDs listed above. Some mobile devices may ask attendees to enter a numeric
20 attendee ID provided above. If Emergency Directive 006 is not extended and the meeting is held in
21 person, then the meeting will be located at the following locations:

22 Nevada State Business Center
23 Real Estate Division
24 3300 West Sahara Avenue, Suite 350
25 Las Vegas, NV 89102

26 If you would like an email containing this information, before the hearing, please contact Evelyn
27 Pattee, Commission Coordinator, at (702) 486-4074 or epattee@red.nv.gov.

1 DATED this 27 day of January 2020.

2 State of Nevada
3 Department of Business and Industry
4 Real Estate Division

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

9 AARON D. FORD
10 Attorney General

11 By: /s/ Robert E. Werbicky
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