

BEFORE THE REAL ESTATE COMMISSION

**FILED**

STATE OF NEVADA

JAN 29 2021

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

REAL ESTATE COMMISSION  
Case No. 2019-1011 BY *Emily Patten*

Petitioner,

vs.

PAUL MURAD,

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 Matthew Feeley, Deputy Attorney General, hereby notifies RESPONDENT PAUL MURAD (“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 NAC 645.695, and the discipline to be imposed, if violations of law are proven.

**JURISDICTION**

RESPONDENT at all relevant times mentioned in this Complaint was licensed by the Division as a broker and held a property management permit. He 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 is licensed with the Division as a broker under license B.0057454.LLC, said license being issued in May of 2007, and is currently in “active” status. RESPONDENT’s property management permit was first issued in June 2007 under permit PM.0163450.BKR and is currently in active status.

1           2.       On September 3, 2019, Mr. Louis Gasper (“Complainant”) submitted a complaint to the  
2 Division regarding the leasing of certain properties from RESPONDENT.

3           3.       Complainant stated that on June 24, 2019, he signed a commercial lease with the  
4 RESPONDENT, the landlord’s agent, to lease the property located at 1319 South Main Street, Las  
5 Vegas, NV 89104.

6           4.       Complainant alleged that the property did not have an electrical meter/Nevada Energy  
7 approved connection to Nevada Energy box, no functional water, and the fence surrounding the  
8 property had holes that allowed vagrants to pass though the property at will. The RESPONDENT was  
9 aware of these issues.

10          5.       Complainant alleged that RESPONDENT assured Complainant that as per the lease  
11 agreement, RESPONDENT would have a contractor install the proper electrical and water utilities.  
12 RESPONDENT promised to have the property operational by July 1, 2019.

13          6.       Complainant stated the issues with the property were never resolved. Upon an inspection  
14 of the property for the Complainant’s business license, the City Fire Marshalls found the building to be  
15 without a Certificate of Occupancy, Complainant could not occupy the building, and as such, the City  
16 rejected Complainant’s business license.

17          7.       Complainant alleged that RESPONDENT then had Complainant move his company to a  
18 new property located at 1203 S. Main Street, Las Vegas, NV 89102. The Complainant claimed he never  
19 signed a lease on the new property and was told the move was to be temporary.

20          8.       Complainant alleged that he tried to get a business license for the new property but was  
21 again denied as there was no Certificate of Occupancy or appropriate electrical signage or wiring.

22          9.       Complainant alleged that he moved his company out of the property on July 31, 2019  
23 and notified RESPONDENT that he had lost confidence that RESPONDENT could bring the properties  
24 up to code. RESPONDENT failed to return Complainants deposit.

25          10.       The Division commenced an investigation into RESPONDENT’s activities in response  
26 to Complainant’s complaint.

27          11.       On February 24, 2020, the Division issued RESPONDENT a Notice of Violation for  
28 four violations of the Nevada Revised Statutes, specifically:

- a. NRS 645.252(3)(a) pursuant to NAC 645.605(2);
- b. NRS 645.252(3)(b); pursuant to NAC 645.605(7);
- c. NRS 645.633(1)(h) pursuant to NAC 645.605; and an additional violation of
- d. NRS 645.633(1)(h) pursuant to NAC 645.605.

12. The Notice of Violation issued a \$2,000 fine and provided notice that RESPONDENT could appeal the decision within 30 days.

13. RESPONDENT appealed the matter and submitted certain documents disputing the violation of NRS 645.252(3)(a) pursuant to NAC 645.637. RESPONDENT showed that a Duties Owed form was signed and dated prior to the transaction in question.

14. The Division dropped the violation of NRS 645.252(3)(a) pursuant to NAC 645.637.

15. On April 9, 2020 the Division re-issued RESPONDENT a Notice of Violation for three violations of the Nevada Revised Statutes, specifically:

- a. NRS 645.252(3)(b); pursuant to NAC 645.605(2);
- b. NRS 645.633(1)(h) pursuant to NAC 645.605; and an additional violation of
- c. NRS 645.633(1)(h) pursuant to NAC 645.605.

16. The Notice of Violation issued a \$1,500 fine and provided notice that RESPONDENT could appeal the decision within 30 days, by May 9, 2020.

17. RESPONDENT has not paid the fine nor has he filed an appeal. The Division has not received any contact with RESPONDENT concerning the April 9, 2020 Notice of Violation.

18. On May 21, 2020 the Division properly notified RESPONDENT it was commencing a disciplinary action against him before the Nevada Real Estate Commission.

### VIOLATIONS

RESPONDENT has committed the following violations of law:

19. RESPONDENT violated NRS 645.252(3)(b) by submitting a transaction file for the property at 1319 S. Main Street, Las Vegas, NV 89104 to the Division and the transaction file did not contain a Duties Owed by a Nevada Licensee for the unrepresented Tenant of the property.

20. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(2) by leasing the property at 1319 S. Main Street, Las Vegas, NV 89104 to Complainant while the property was not

1 able to be occupied to conduct business out of due to the condition of the property.

2 21. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(7) by having  
3 the Complainant relocate his business from the property at 1319 S. Main Street, Las Vegas, NV 89104  
4 to the property at 1203 S. Main Street, Las Vegas NV 89104 and never amended or created a new lease  
5 for the new location.

6 **DISCIPLINE AUTHORIZED**

7 22. Pursuant to NRS 645.630 and NRS 645.633, the Commission is empowered to  
8 impose an administrative fine per violation against RESPONDENT that may not exceed \$10,000, and  
9 further to suspend, revoke or place conditions on the license of RESPONDENT,

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

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

15 **NOTICE OF HEARING**

16 **PLEASE TAKE NOTICE**, that a disciplinary hearing has been set to consider this  
17 Administrative Complaint against the above-named RESPONDENTS in accordance with Chapters  
18 233B and 645 of the Nevada Revised Statutes and Chapter 645 of the Nevada Administrative Code.

19 **THE HEARING WILL TAKE PLACE** at the Commission meeting scheduled for March 2-4,  
20 2021, beginning at approximately 9:00 a.m. each day, or until such time as the Commission concludes  
21 its business.

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

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

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

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

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

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

3 If you do not have internet access, you may attend by phone at 1-844-621-3956 using the access  
4 codes and attendee IDs listed above. Some mobile devices may ask attendees to enter a numeric  
5 attendee ID provided above. If Emergency Directive 006 is not extended and the meeting is held in  
6 person, then the meeting will be located at the following locations:  
7

8 Nevada State Business Center  
9 Real Estate Division  
10 3300 West Sahara Avenue, 4<sup>th</sup> Floor Nevada Room  
11 Las Vegas, NV 89102

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

14 **YOUR RIGHTS AT THE HEARING:** except as mentioned below, the hearing is an open  
15 meeting under Nevada's open meeting law, and may be attended by the public. After the evidence and  
16 arguments, the commission may conduct a closed meeting to discuss your alleged misconduct or  
17 professional competence. You are entitled to a copy of the transcript of the open and closed portions of  
18 the meeting, although you must pay for the transcription.

19 As the Respondent, you are specifically informed that you have the right to appear and be heard  
20 in your defense, either personally or through your counsel of choice. At the hearing, the Division has  
21 the burden of proving the allegations in the complaint and will call witnesses and present evidence  
22 against you. You have the right to respond and to present relevant evidence and argument on all issues  
23 involved. You have the right to call and examine witnesses, introduce exhibits, and cross-examine  
24 opposing witnesses on any matter relevant to the issues involved.  
25

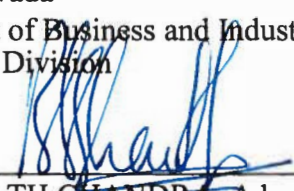
26 You have the right to request that the Commission issue subpoenas to compel witnesses to  
27 testify and/or evidence to be offered on your behalf. In making the request, you may be required to  
28

1 demonstrate the relevance of the witness' testimony and/or evidence. Other important rights you have  
2 are listed in NRS 645.680 through 645.990, NRS Chapter 233B, and NAC 645.810 through 645.875.

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

7 DATED this 27th day of January, 2021.

8 State of Nevada  
9 Department of Business and Industry  
10 Real Estate Division

11 By:   
12 SHARATH CHANDRA, Administrator  
13 3300 West Sahara Avenue, Suite 350  
14 Las Vegas, Nevada 89102

15 AARON D. FORD  
16 Attorney General

17 By: /s/ *Matthew Feeley*

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