

BEFORE THE REAL ESTATE COMMISSION

FILED

STATE OF NEVADA

JAN 06 2021

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

REAL ESTATE COMMISSION
BY *[Signature]*

Case Nos. 2019-876 & 2019-1075

Petitioner,

COMPLAINT AND NOTICE OF
HEARING

vs.

JESSICA LYNN RAZZARI,

Respondent.

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 Peter Keegan, Deputy Attorney General, hereby notifies RESPONDENT JESSICA LYNN RAZZARI ("RESPONDENT") of an administrative hearing before the STATE OF NEVADA REAL ESTATE COMMISSION ("Commission"). The hearing will be held pursuant to Chapter 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 or other discipline, authorized by NRS 645 and/or NAC 645, if violations of law are proven.

JURISDICTION

RESPONDENT engaged in activities, which require a license as a real estate broker, real estate broker-salesperson, or real estate salesperson, and/or a permit to engage in property management, issued by the Division, and is, therefore, subject to the jurisdiction of the Division and the Commission, and the provisions of NRS and NAC 645.

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1 **Case No. 2019- 876 – FACTUAL ALLEGATIONS**

2 1. RESPONDENT is currently the Broker of record for Own It Realty and
3 Property Management LLC brokerage.

4 2. On July 31, 2019, the Division received a statement of fact (“complaint”)
5 complaining about unprofessional property management services provided by
6 RESPONDENT.

7 3. The complaint filed against RESPONDENT alleged that she failed to account
8 for and timely deposit rents, failed to provide receipts for repairs, failed to provide copies
9 of rental agreements, and failed to have the units cleaned prior to turnover.

10 4. On August 5, 2019, the Division sent an investigation-opening letter to
11 RESPONDENT via email.

12 5. The August 5, 2019 investigation-opening letter required RESPONDENT to
13 provide a sworn statement responding to the complaint involving the properties located at
14 900 S. Meadows Pkwy. #4412/4813, Reno, Nevada (“the Properties”) by August 19, 2019.

15 6. The Division received a delivery confirmation for the email sent on August 5,
16 2019.

17 7. On September 3, 2019, a follow-up email was sent to the RESPONDENT and
18 the deadline to respond was extended to September 9, 2019.

19 8. The Division received delivery confirmation for the email sent to
20 RESPONDENT on September 3, 2019.

21 9. On September 10, 2019, the Division sent a second follow-up letter via
22 certified mail to the RESPONDENT because the Division had not received a timely
23 affidavit response to its prior investigation-opening communications.

24 10. The September 10, 2019, follow-up letter extended RESPONDENT’s response
25 deadline to September 20, 2019.

26 11. The Division received a delivery confirmation receipt for the certified mailing
27 that was signed on September 11, 2019, by Jan Clark.

28 12. On December 3, 2019, the Division sent RESPONDENT an NRS 233B letter
indicating that the Division’s investigation had obtained sufficient evidence to commence

1 disciplinary action by filing a complaint with the Nevada Real Estate Commission
2 (“Commission”).

3 13. RESPONDENT is a licensed Broker under license B.1001106.LLC and holds
4 a Property Management Permit under permit PM.0163844.BKR.

5 14. On October 2, 2018, the complainant emailed RESPONDENT asking for an
6 explanation why he had not received the September rents for the Properties.

7 15. On November 1, 2018, the complainant emailed RESPONDENT asking for the
8 rents received for the Properties for October to be deposited into his account.

9 16. On November 2, 2018, the complainant emailed RESPONDENT and stated he
10 still had not received the October rents for the Properties.

11 17. On February 22, 2019, the complainant emailed RESPONDENT and stated
12 he had not yet received the February rents for the Properties.

13 18. On February 25, 2019, the complainant emailed RESPONDENT and stated
14 he had not yet received the February rents for the Properties.

15 19. On February 26, 2019, the complainant emailed RESPONDENT and stated
16 he had not yet received the February rents for the Properties.

17 20. On February 26, 2019, the RESPONDENT emailed the complainant and
18 stated she would be willing “to move the tenant” she had “to another unit” and let the
19 RESPONDENT find another management company to “take care of” the Properties.

20 21. On March 1, 2019, the complainant emailed to the RESPONDENT and stated
21 he still had not received the February rents for the Properties.

22 22. On March 13, 2019, the complainant emailed to RESPONDENT and informed
23 her that he was terminating her as the Property Manager for the Properties.

24 23. Upon transfer of the Property Management responsibilities, the
25 RESPONDENT provided incorrect keys to the Properties to the new Property Manager.

26 **Case No. 2019-876 - VIOLATIONS ALLEGED**

27 RESPONDENT has committed the following violations of law:

28 1. RESPONDENT violated NRS 645.630(1)(f) by failing to, within a reasonable
time, remit to the complainant the rents she collected for the Properties.

1 further to suspend, revoke or place conditions on the license of RESPONDENT.

2 2. Pursuant to NRS 645.314, the Division is authorized to request reimbursement
3 of its investigative costs where the investigation was undertaken for disciplinary purposes.

4 3. Additionally, under NRS 622.400, the Commission is authorized to impose costs
5 of the proceeding upon RESPONDENT, including investigative costs and attorney's fees, if
6 the Commission otherwise imposes discipline on RESPONDENT.

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

9 **NOTICE OF HEARING**

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

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

17 Pursuant to the Governor's Emergency Directive 006 section 3, Directive 026 section
18 3, and Directive 29 section 4, the physical location requirement for this hearing has been
19 suspended until the Governor's Emergency Declaration is lifted. Accordingly, this meeting
20 will be held virtually. The Commission uses WebEx for its meetings. To join the hearing go
21 to the Webex.com website and put in the Access code and Attendee ID:

22 **TUESDAY, MARCH 2, 2021** Meeting number (Access code): 146 676 5037
23 Password (Attendee ID): MmWZJAfa752 (66995232752 from phones and video systems)

24 **WEDNESDAY, MARCH 3, 2021** Meeting number (Access code): 146 959 4482
25 Password (Attendee ID): qPvqu3Jm2R5 (77878356275 from phones and video systems)

26 **THURSDAY, MARCH 4, 2021** Meeting number (Access code): 146 731 0977
27 Password (Attendee ID): vRfvSmer725 (87387637725 from phones and video systems)

28 If you do not have internet access, you may attend by phone at 1-844-621-3956
using the access codes and attendee IDs listed above. Some mobile devices may ask

1 attendees to enter a numeric attendee ID provided above. If Emergency Directive 006 is
2 not extended and the meeting is held in person, then the meeting will be located at the
3 following locations:

4 Nevada State Business Center
5 Real Estate Division
6 3300 West Sahara Avenue, 4th Floor Nevada Room
7 Las Vegas, NV 89102

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

10 **STACKED CALENDAR: Your hearing is one of several hearings scheduled**
11 **at the same time as part of a regular meeting of the Commission that is expected**
12 **to last from March 2 through March 4, 2021, but may end earlier if the business**
13 **of the Commission is concluded. Thus, your hearing may be continued until later**
14 **in the day or from day to day. It is your responsibility to be present when your**
15 **case is called. If you are not present when your hearing is called, a default may**
16 **be entered against you and the Commission may decide the case as if all**
17 **allegations in the complaint were true. If you have any questions please call**
18 **Evelyn Pattee Commission Coordinator (702) 486-4074.**

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

24 As the RESPONDENT you are specifically informed that, you have the right to
25 appear and be heard in your defense, either personally or through your counsel of choice.
26 At the hearing, the Division has the burden of proving the allegations in the complaint and
27 will call witnesses and present evidence against you. You have the right to respond and to
28 present relevant evidence and argument on all issues involved. You have the right to call

1 and examine witnesses, introduce exhibits, and cross-examine opposing witnesses on any
2 matter relevant to the issues involved.

3 You have the right to request that the Commission issue subpoenas to compel
4 witnesses to testify and/or evidence to be offered on your behalf. In making the request,
5 you may be required to demonstrate the relevance of the witness' testimony and/or
6 evidence. Other important rights you have are listed in NRS 645.680 through 645.990, NRS
7 Chapter 233B, and NAC 645.810 through 645.920.

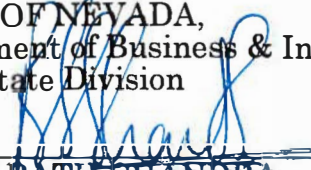
8 The purpose of the hearing is to determine if the RESPONDENT has violated
9 NRS 645 and/or NAC 645 and if the allegations contained herein are substantially
10 proven by the evidence presented and to further determine what administrative penalty,
11 if any, is to be assessed against the RESPONDENT.


12
13 DATED this 5 day of January, 2021.

DATED this 4th day of January, 2021.

14 STATE OF NEVADA,
15 Department of Business & Industry
Real Estate Division

AARON D. FORD
Attorney General

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